



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.6059 of 2014

1 V.VEERAGURUNATHAN

2 V.VEERAPRAKASAM

... PETITIONERS/ACCUSED (A-1&A2)

Vs

STATE REP BY

THE SUB INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, BODINAICHANUR,

THENI DISTRICT.

CRIME NO. 2/2014

... RESPONDENT/ COMPLAINANT

M.BHUVANESWARI

... INTERVENOR

For Petitioner : M/S.K.GNANA SAMBANDAN Advocate

For Respondent :M/S.A.P.BALASUBRAMANIAN

Govt. Advocate (Crl. Side)

For Intervenor : M/S.A.K.MANICKAM, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) of the Indian Penal Code, Section 4 of the Dowry Prohibition Act and Section 4 of the Tamil Nady Prohibition of Harassment of Women Act, in Crime No.2 of 2014 on the file of the respondent police, seek anticipatory bail.

2. It is stated that A-1 is the husband of the *de facto* complainant and A-2 is the father of A-1. It is also stated that earlier, this Court by order dated 07.04.2014, granted interim Anticipatory Bail to the petitioners herein.

3. The learned counsel appearing for the intervenor strongly opposes to the grant of Anticipatory Bail to the petitioners.

4. The learned Government Advocate appearing for the respondent police would submit that the investigation has been completed and charge sheet has also been filed.



5. In such circumstances, relying upon the Judgment of the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar** reported in **2014 (8) Scale 250**, this Court is inclined to grant Anticipatory Bail to the petitioners herein.

6. It is represented by the learned counsel appearing for the petitioners that, by virtue of the interim Anticipatory Bail granted to the petitioners, they had already executed sureties. Therefore, the petitioners need not execute sureties and the interim Anticipatory Bail granted by this Court, on 07.04.2014, is made absolute, subject to the following conditions:-

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Judicial Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-

09/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, BODINAICKANUR.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.

3. THE ADDITIONAL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4. THE SUB INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, BODINAICHANUR, THENI DISTRICT.

+1. CC to M/S.K.GNANA SAMBANDAN Advocate SR.No.1195

RL/6 C- 13/1/2015

ORDER

IN

CRL OP(MD) No.6059 of 2014

Date : 09/01/2015