



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

Monday, the Nineteenth day of January Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.689 of 2015

VIJAYAKUMAR

... PETITIONER/ACCUSED

Vs

THE INSPECTOR OF POLICE
ALANGULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CR.NO.70 OF 2014)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.JOHN VINCENT Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

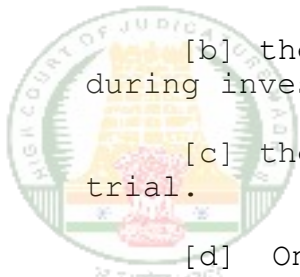
Apprehending arrest at the hands of the respondent police in Crime No.70 of 2014, on the file of the respondent police for offences under Section 306 IPC, the petitioner is now before this Court seeking Anticipatory Bail.

2.This is 2nd anticipatory bail petition and the first petition was dismissed by this Court on 22.12.2014 when the investigation was at the very initial stage.

3. It is the case of the prosecution that this petitioner got married to the deceased during May '2012 and they have no issues. There appears to be matrimonial discord between them on account of which, the deceased committed suicide on 17.07.2014 by consuming poison. Revenue Divisional Officer enquiry was conducted, since the marriage was less than seven years. The Revenue Divisional Officer's report discloses that there was no dowry harassment. The police have completed the investigation and filed a final report for the offence under Section 306 IPC. Since investigation has been completed and there is no allegation of dowry death, I am inclined to grant anticipatory bail to the petitioner, but with conditions.

4. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance before the learned Judicial Magistrate, No.II, Sattur, on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(a) the petitioners shall report before the respondent police every day for a period of four weeks and thereafter, 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 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 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/-
19/01/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II,
SATTUR.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE
ALANGULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.JOHN VINCENT Advocate SR.No. 2089

SR : 22.01.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.689 of 2015
Date :19/01/2015