



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

Thursday, the Twelfth day of February Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.12793 of 2013

1 ARUN
2 NATARAJAN
3 TAMILARASI

... PETITIONERS / ACCUSED 1 - 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI. CRIME NO.13/2013.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.VAMANAN Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl.Side).

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

ORDER : The Court Made the following order :-

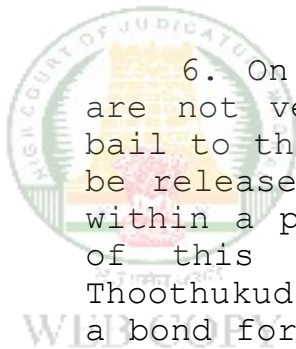
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498-A, 506(ii) IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act and Section 4 of Dowry Prohibition Act in Crime No.13 of 2013 on the file of the respondent police, seek anticipatory bail.

2.Initially the matter was referred to Mediation and failure report dated 17.09.2014 has been received.

3. The case of the prosecution is that the first petitioner got married to the defacto complainant on 13.06.2012 and thereafter the defacto complainant has filed M.C.No.9 of 2013 before the learned Chief Judicial Magistrate, Tuticorin for maintenance. It is alleged by the defacto complainant that on 21.03.2013 when the petitioners came there for the maintenance case, they had intimidated her.

4.This case has been registered pursuant to direction issued by the learned Judicial Magistrate No.1, Tuticorin, under Section 156 (3) Cr.P.C.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.



6. On a reading of the complaint it seen that the allegations are not very serious. Hence, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Thoothukudi, on condition that each of the petitioner shall execute a 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 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]**. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-

12/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, THOOTHUKUDI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.VAMANAN, Advocate SR.No.6522.

ORDER IN

CRL OP(MD) No.12793 of 2013

Date :12/02/2015

msm 16.02.2015 p2/6c