

CRL.O.P.No.2749 of 2016**K.KALYANASUNDARAM,J**

The petitioner, who is arrayed as A1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 498(A), 323 and 506(i) IPC in Crime No.2 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are the husband and wife. Due to matrimonial dispute, the petitioner assaulted the defacto complainant and threatened her.

3.The learned counsel for the petitioner submitted that due to matrimonial dispute, the petitioner has been falsely implicated in this case and he is an innocent person. It is further submitted that the petitioner filed a HMOP No.792 of 2013 before the II Additional Family Court, Chennai against the defacto complainant for divorce and after receiving summon in the divorce petition, the defacto complainant has filed a false case against the accused under Domestic Violence Act and preferred this present complaint.

4. Heard the learned Government Advocate (Criminal side) appearing for the respondent.

5.Considering the submission made by the learned counsel appearing for the petitioner and also considering the fact and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions;

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6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned V Metropolitan Magistrate, Egmore, Chennai and on executing 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.00a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

14.03.2016

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