



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

Wednesday, the Ninth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.14120 of 2015

M.SELVAKUMAR

... PETITIONER/ACCUSED NO.1

Vs

STATE REP BY THE INSPECTOR OF POLICE,
ETTYAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.

CRIME NO.215 OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.PALANI Advocate

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

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

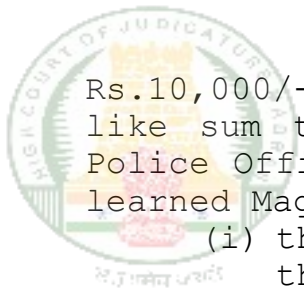
ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Section 174 Cr.P.C., @ 306 I.P.C., in Crime No.215 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.V.Palani, learned counsel appearing for the petitioner / first accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the petitioner / first accused got married to one Ambika 1 ½ years back and on 21.06.2015 Ambika committed self-immolation. Coming to know about which, he went to her house and took her to hospital for treatment. Since the death was within a period of seven years from the marriage, the Executive Magistrate conducted an enquiry and submitted a report stating that there is no dowry harassment and hence the case was altered into 306 I.P.C.

4. Taking into consideration the nature of allegations made against the petitioner / first accused, this Court is of the view that this is a fit case to grant anticipatory bail to him. Accordingly, he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kovilpatty, on condition that the petitioner / first accused 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner / first accused shall report before the respondent Police daily at 06.30 p.m., until further orders.

(ii) the petitioner / first accused shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner / first accused shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / first accused in accordance with law as if the conditions have been imposed and the petitioner / first accused 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-

09/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTY
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN
- 3 THE INSPECTOR OF POLICE,
ETTYAPURAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.PALANI Advocate SR.No.13620

ORDER

IN

CRL OP (MD) No.14120 of 2015

Date : 09/03/2016

AA/NGM-SS/SAR-I/14.03.2016/2p-6c