



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

Tuesday, the Twelfth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.15216 of 2015

M.RAJENDRAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE
REP. BY THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAMADURAI
CRIME.NO.NOT KNOWN OF 2014

... RESPONDENT/COMPLAINANT

R.GOWSALY

...INTERVENER PETITIONER/
PROPOSED 2nd RESPONDENT

For Petitioner : M/S.J.ANANDKUMAR Advocate
For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)
For Intervenor : M/S.R.PANDY, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 495 of IPC, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.40 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner suppressing the earlier marriage with another lady, by name, Sheela Devi, married the de-facto complainant on 10.10.2010. When the same was questioned by the de-facto complainant, the petitioner threatened her with dire consequences.

3. The case of the petitioner is that he is an innocent person and he did not commit any offence as alleged by the prosecution.

4. The learned counsel for the petitioner submitted that the first wife of the petitioner viz., Sheela Devi, left the matrimonial home on her own volition and it was settled before the Panchayat and the same was informed to the maternal uncle of the de-facto complainant and thereafter, the marriage was solemnized between the petitioner and the de-facto complainant.

5. When the matter was taken up for hearing on 03.12.2015, both the petitioner and the de-facto complainant were present before this Court and the petitioner handed over four sovereigns of gold jewels to the de-facto complainant and the de-facto complainant also received the same in the Court. The petitioner also agreed to return one sovereign of gold



jewels and a sum of Rs.50,000/- in the first week of this month i.e., in January, 2016 to the de-facto complainant. Today, when the matter is taken up for hearing, the petitioner and the de-facto complainant are present before this Court and the petitioner handed over one sovereign of gold chain and a sum of Rs.50,000/- to the de-facto complainant and the de-facto complainant also received the same.

6. Heard the learned Government Advocate (Criminal side).

7. Considering the facts and circumstances of the case, custodial interrogation of the petitioner is not necessary. Hence, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Sivagangai District, and on his 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 on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

9. 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.

sd/-

12/01/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MANAMADURAI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MANAMADURAI
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.ANANDKUMAR Advocate SR.No.2350

SMN2

CSL/NGM-SS/SAR-II/20.01.2016/2P/6C

ORDER
IN
CRL OP(MD) No.15216 of 2015
Date :12/01/2016