



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

Monday, the Fourteenth day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP (MD) No.20992 of 2015

WEB COPY

SURIYA KUMAR

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY THE
THE INSEPECTOR OF POLICE
ALL WOMEN POLICE STATION,
CR NO.29/2015
DINDIGUL DISTRICT.

... RESPONDENT/COMPLAINANT

SHENBAGAN

...INTERVENOR IN MP (MD) NO.1/15
IN CRL OP (MD) NO.20992/15

For Petitioner : M/S J.SENTHIL KUMAR Advocate

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

For Intervenor : M/s.R.GANDHI, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498 (A) and 506(i) I.P.C. and Section 4 of Dowry Prohibition Act in Crime No.29 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the State.

3. It is seen that the accused has handed over all the jewelry and the household articles to the defacto complainant and the learned Counsel for the defacto complainant has also accepted the same.

4.The learned Government Advocate (Crl.side) submitted that the investigation has been completed and the charge sheet has also been filed before the learned Judicial Magistrate No.II, Dindigul in C.C.No.39 of 2016 for offences under Sections 498(A) and 506(i) I.P.C. and Section 4 of Dowry Prohibition Act.

5.The learned Counsel for the defacto complainant submitted that the accused is working abroad and that if he leaves the country, the trial case could come to a stand still and his passport should be impounded.

6.Taking into consideration the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner 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, Dindigul on condition that 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 petitioner shall furnish a photo copy of his passport before the learned Judicial Magistrate concerned at the time of furnishing the sureties;

[b] the petitioner shall also furnish a photo copy of his passport to the respondent police to be kept in the case diary;

[c] whenever the petitioner wants to go abroad, he shall inform the trial Court and the respondent police and he need not take special permission and he should give an undertaking that in his absence, his Counsel will cross-examine the witnesses and that he will not dispute his identity. He should furnish his address of stay abroad, his e-mail ID and mobile number;

[d] the petitioner shall appear before the respondent police as and when required for interrogation;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Judicial 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/-

14/03/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II
DINDIGUL.

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

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,DINDIGUL DISTRICT.

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

+1. CC to M/S J.SENTHIL KUMAR Advocate SR.No.14177

+1cc to M/S.R.Gandhi, Advocate in SR.No.14274

ORDER

IN

CRL OP(MD) No.20992 of 2015

Date :14/03/2016