



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

Tuesday, the Twenty Eighth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10437 of 2016

1 M. VIJAYKUMAR
2 MANIGANDAN
3 SELVI

...PETITIONERS/ACCUSED NOS.1 TO3

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MELUR,
MADURAI DISTRICT.
CRIME NO. 37 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S CHAMUNDI BOSE Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

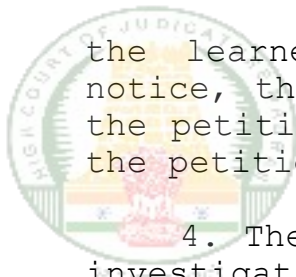
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 Section 498(A) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.37 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized on 17.09.2015 and separated within 40 days of marriage and the defacto complainant left the matrimonial home and residing with her parents. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that the first petitioner is the husband and he is working at Chennai and the petitioners 2 and 3 are father and mother of the first petitioner. The first petitioner filed HMOP against I.A.No.338 of 2016 before



the learned Family Judge, Madurai, for divorce. On receiving notice, the defacto complainant has given a false complaint against the petitioner and prays for granting anticipatory bail infavour of the petitioners.

4. The learned Government Advocate (Crl. Side) submits that the investigation of the case is pending.

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5. Considering the facts and circumstances of the case, 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, Melur, Madurai District 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] since the first petitioner is working at Chennai he shall appear before the Inspector of Police, C1 Flower Bazaar Police Station, Chennai daily at 9.00 am until further orders and the petitioners 2 and 3 shall appear 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].

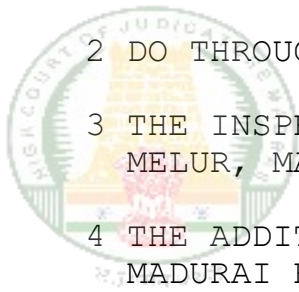
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28/06/2016

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

TO
<https://hcservices.ecourts.gov.in/hcservices/>

1 THE JUDICIAL MAGISTRATE, MELUR.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.

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

5. THE INSPECTOR OF POLICE, CI FLOWER BAZAAR POLICE STATION,
CHENNAI.

+1. CC to M/S CHAMUNDI BOSE Advocate SR.No.33742

ORDER

IN

CRL OP (MD) No.10437 of 2016

Date :28/06/2016

SDR/GSV-PM/SAR I/04.07.2016/3P/7C