



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

Wednesday, the Sixth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10751 of 2016

T. PETCHIRAJA

... PETITIONER/ACCUSED NO.1

Vs

STATE REB.BY
THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TIRUCHENDUR,
THOOTHUKUDI DISTRICT.
CRIME NO. 12 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S C.CHRISTOPHER Advocate

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

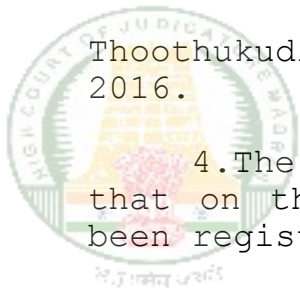
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 506(ii) IPC, Section 4 of Dowry Prohibition Act and Section 4 of TNPHW Act, in Crime No.12 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the de facto complainant and A.1 was solemnized on 20.01.2016 and at the time of marriage, gold jewels and household articles were given as dowry. A.1 is having illicit intimacy with another lady and when the same was questioned by the de facto complainant, A.1 abused her in filthy language and criminally intimidated her and the accused persons harassed the de facto complainant demanding more dowry. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner denied the illicit intimacy with another lady. The petitioner is ready to abide any stringent condition to be imposed by this Court. A.2 and A.4 were already granted anticipatory bail by the learned Principal Sessions Judge,



Thoothukudi vide order dated 18.04.2016 made in Cr.M.P.No.1261 of 2016.

4.The learned Government Advocate (Criminal side) submitted that on the complaint given by the de facto complainant case has been registered and investigation is pending.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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, Thiruchendur, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

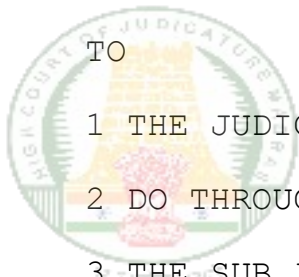
- (i) the petitioner shall report before the respondent Police daily twice i.e., at 10.00 a.m. and 05.00 p.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation 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 in accordance with law as if the conditions have been imposed and the petitioner 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]**.

6.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/-
06/07/2016

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE SUB INSPECTOR OF POLICE ALL WOMEN POLICE STATION,
TIRUCHENDUR, THOOTHUKUDI DISTRICT.

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

+1. CC to M/S C.CHRISTOPHER Advocate SR.No.35147

ORDER

IN

CRL OP(MD) No.10751 of 2016

Date :06/07/2016

SDR/ARK-PV/SAR I/12.07.2016/3P/6C