



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

Tuesday, the Twelfth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11191 of 2016

T.POMMAIYA,

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SAMAYANALLUR,
MADURAI DISTRICT. CR.NO.16/2013)... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SIDDHARTHAN Advocate

For Respondent : MR.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 alleged offences punishable under Sections 498(A), 420, 294(b) and 506(i) of IPC, in Crime No.16 of 2013, 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 this petitioner was solemnized on 22.02.2013. After the marriage, the accused persons harassed the de facto complainant by 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 innocent and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioner.

4.The learned counsel for the petitioner submitted that the earlier petition filed by the petitioner was dismissed on 25.06.2013 on the ground that the petitioner was in abroad and now the petitioner come to India on 30.06.2016.

5.The learned Government Advocate (Crl.side) submitted that the earlier petition filed by the petitioner in Crl.O.P(MD)No.10230 of 2013, was dismissed on 25.06.2013.



6. Considering the facts of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner 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, Magilha Court, Madurai, 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 at 10.30 a.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]**.

7. 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/-
12/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MAHILA COURT, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SAMAYANALLUR, MADURAI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.SIDDHARTHAN Advocate SR.No.35862

ORDER IN
CRL OP(MD) No.11191 of 2016
Date :12/07/2016

AA/ARK-PV/SAR-I/15.07.2016/2p-6c