



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.11373 of 2016

WEB COPY

M. MARIMUTHU

... PETITIONER / 1st ACCUSED

Vs

The State represented by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM,
THOOTHUKUDI DISTRICT,
CR NO. 17 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S J.MARIA RUBIT 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 offences punishable under Sections 294(b), 498-A, 506(ii) of IPC and Section 4 of Dowry Harassment Act, in Crime No.17 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

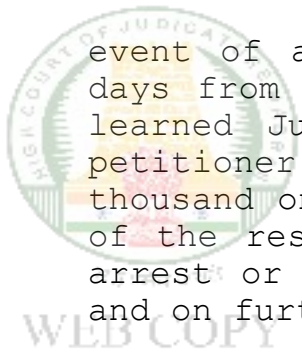
2.The case of the prosecution is that the marriage between the de facto complainant and this petitioner was solemnized on 12.02.2016. After the marriage, the accused persons harassed the de facto complainant by demanding more dowry. On complaint, case has been registered for the above said offences.

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

4.The learned counsel for the petitioner submitted that the petitioner is working as B.T.Assistant (Social Science), Govt. Boys Higher Secondary School, Peravoorani, Pattukottai Taluk, Thanjavur District.

5.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner and other accused demanded additional dowry and tortured the defacto complainant.

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, Srivaikundam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties 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 every Saturday and Sunday 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, SRIVAIKUNDAM
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S J.MARIA RUBIT Advocate SR.No.36178

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ORDER

IN

CRL OP(MD) No.11373 of 2016

Date :12/07/2016