



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

Wednesday, the Twentieth day of July Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.12172 of 2016

SINGARAVELAN

... PETITIONER/ACCUSED No.1

Vs

STATE REPRESENTED BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NILAKOTTAI, DINDIGUL DISTRICT.
CRIME NO.12 OF 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S A.ARUL JENIFER, ADVOCATE
FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

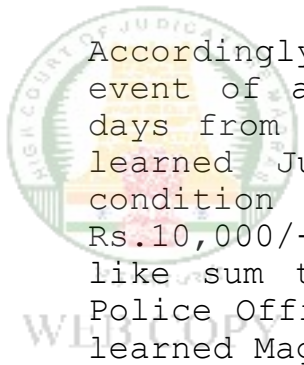
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 406 IPC, in Crime No.12 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the de facto complainant and A.1 was solemnized on 06.12.2015. At the time of marriage, 26 sovereigns of gold jewels and Rs.1,00,000/- were given as dowry. After the marriage, the accused persons harassed the de facto complainant demanding more dowry and also tortured her. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. Due to some dispute between her and A.1, the de facto complainant left the matrimonial home. The petitioner filed H.M.O.P.No.61 of 2016 before the Family Court, Dindigul for restitution of conjugal rights and after receiving summons from the Family Court, Dindigul, as a counter-blast, she has given a false complaint.

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

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner filed H.M.O.P.No.61 of 2016 before the Family Court, Dindigul, 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, Nilakottai, Dindigul District, 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 10.00 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]**.

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/-
20/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1. CC to M/S A.ARUL JENIFER Advocate SR.No. 38696