



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12466 of 2016

SHANMUGARAJ

...PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SATTUR,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 13 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S A.ROBINSON 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 :-

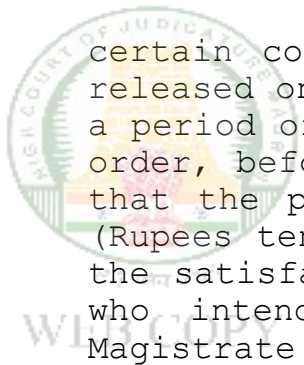
The petitioner, who is arrayed as Accused No.4, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A) IPC and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act read with Section 109 IPC in Crime No.13 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that A.1 married the defacto complainant and A.1 is having illicit intimacy with A.6 and A.6 is the neighbourhood of the petitioner. On complaint, case has been registered against the petitioner and others 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.

4.The learned Government Advocate (Criminal side) submitted that 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, Sattur, 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 appear before the respondent Police as and when required for interrogation.
- (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/-
22/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATTUR.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,VIRUDHUNAGAR DISTRICT.
 - 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE,ALL WOMEN POLICE STATION, SATTUR, VIRUDHUNAGAR DISTRICT.
- +1. CC to M/S A.ROBINSON Advocate SR.No.38747.

ORDER
IN
CRL OP(MD) No.12466 of 2016
Date :22/07/2016