



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.12508 of 2016

N.LOGANATHAN

... PETITIONER / ACCUSED

Vs

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMANGALAM POLICE STATION,
MADURAI.

CR.NO.39/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S V.OM PRAKASH Advocate

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

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

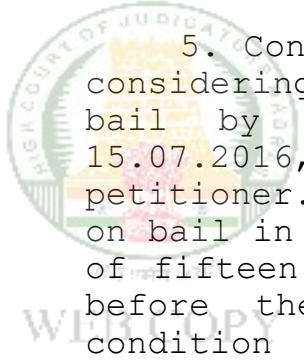
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A) and Section 4 of DP Act in Crime No.39 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner demanded additional dowry from the defacto complainant and harassed her both mentally and cruelly and on complaint a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the marriage between the petitioner and defacto complainant was solemnized on 12.12.2010, within 60 days of marriage, the defacto complainant left the matrimonial home and subsequently, arrangements to compromise to both parties failed. He further contended that the father of the defacto complainant is the retired Sub Inspector of Police and using his influence a false case has been foisted against the petitioner. He further submitted that co-accused has granted anticipatory bail by this Court in Crl.O.P(MD).No.11781 of 2016, dated 15.07.2016.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner, who is the husband of the defacto complainant, along with other accused demanded additional dowry of Rs.5,00,000/- for construction of house from the defacto complainant and due to that torture, the defacto complainant left the matrimonial home and the investigation of the case is pending.



5. Considering the facts and circumstances of the case and also considering the fact co-accused have already granted anticipatory bail by this Court in CrI.O.P(MD).No.11781 of 2016, dated 15.07.2016, I am inclined to grant anticipatory bail to the petitioner. 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, Thirumangalam and 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 petitioners 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 condition 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, THIRUMANGALAM.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THIRUMANGALAM POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S V.OM PRAKASH Advocate SR.No.39202

ORDER

IN

CRL OP(MD) No.12508 of 2016

Date :22/07/2016