



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

Thursday, the Eleventh day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14533 of 2016

LAVAKUMAR

... PETITIONER / ACCUSED No.1

Vs

The State rep.by its

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATIONA, SAMATHANAPURAM (RURAL)

PALAYAMKOTTAI, TIRUNELVELI

CR. NO. 19 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYA KARTHIK 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 :-

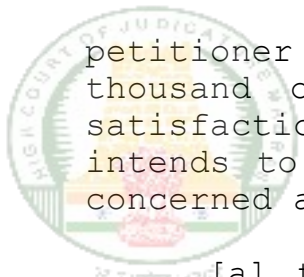
The petitioner, who is arrayed as accused apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A) and 506(i) of IPC in Crime No.19 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the petitioner, who is the husband of the defacto complainant, tortured her both mentally and physically and also beaten her on consuming alcohol. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that it is a matrimonial dispute and the investigation of the case is pending.

5. Considering the facts and circumstances of the case, 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 No.V, Thirunelveli 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 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 condition or not.

sd/-

11/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATIONA, SAMATHANAPURAM
RURAL PALAYAMKOTTAI, TIRUNELVELI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYA KARTHIK Advocate SR.No.43836

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ORDER

IN

CRL OP(MD) No.14533 of 2016

Date :11/08/2016