



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Twelfth day of August Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.14702 of 2016

WEB COPY

ANTHIREYA @ ARUNKUMAR

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI,
CR. NO. 32 OF 2015

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.V.SASI KUMAR, 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 :-

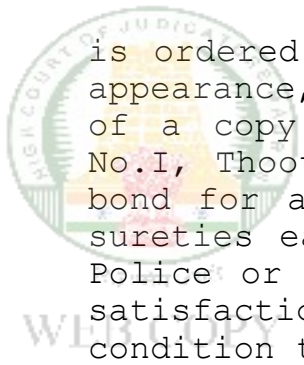
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 506(i) I.P.C., in Crime No.32 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized on 28.12.2004. Two children were born in the wedlock. After that the petitioner and his family members harassed the defacto complainant by demanding additional dowry. On complaint, a case has been registered.

3. It is submitted by the learned counsel for the petitioner that the marriage between the petitioner and the defacto complainant was solemnized on 28.12.2004. Two children were born in the wedlock. In the year 2009, the petitioner took treatment for his psychiatric problem at St.Anthony Church, Puliyampatti and subsequently he took treatment in Kerala in the year 2014 and after the demise of his mother, he returned back to Kerala. Due to that the defacto complainant has given a false complaint. The petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is pending.

5.Considering the nature of allegation made against the petitioner, 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 No.1, Thoothukudi, 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 petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 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 petitioners 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 petitioners are complying with the conditions or not.

sd/-
12/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1. THE JUDICIAL MAGISTRATE NO.1, THOOTHUKUDI.
- 2. THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI.
- 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.SASI KUMAR Advocate SR.No. 44442

ORDER IN
CRL OP(MD) No.14702 of 2016
Date :12/08/2016