



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

Monday, the Third day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.18984 of 2016

KALIMUTHU

... PETITIONER/ACCUSED NO.I

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO. 23 OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.BOOMIRAJAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

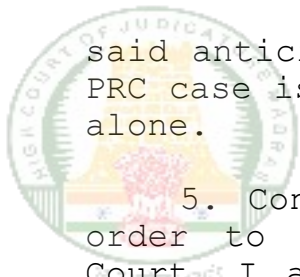
ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 174 Cr.P.C. and altered to Sections 146 and 306 IPC in Crime No.23 of 2014, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that marriage between the petitioner and the deceased Chokkayi was solemnized during the year 2012 and subsequently, the said Chokkayi set fire on herself by pouring kerosene. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner and the deceased were happily living from the date of marriage onwards and there was no misunderstanding or difference of opinion between them and out of wedlock one child also born to them. He further submitted that there was no question of demand of dowry by the petitioner or his family members.

4. The learned Government Advocate (Criminal Side) submitted that charge sheet was taken on file in PRC No.21 of 2014 by the learned District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District. Though the petitioner has obtained anticipatory bail, since he failed to produce the sureties within the time, the



said anticipatory bail is lapsed. He further submitted that now the PRC case is pending especially for the appearance of this petitioner alone.

5. Considering the facts and circumstances of the case and in order to facilitate this petitioner to appear before the Trial Court, I am inclined to grant anticipatory bail to the petitioner with the following condition. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District, within a period of 10 days from the date on which the order copy made ready, and on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judge concerned and on further condition that the petitioner shall appear before the Trial Court on each and every hearing date without fail. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

sd/-
03/10/2016

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.BOOMIRAJAN Advocate SR.No.58431

JKR
CSL/PV/SAR-III/06.10.2016: 2P/6C

ORDER
IN
CRL OP(MD) No.18984 of 2016
Date :03/10/2016