



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

Thursday, the Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20895 of 2016

V.RAJAYOKKIAM

... PETITIONER / ACCUSED No.2

Vs

STATE,
REPRESENTED BY THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT
(CRIME NO.75 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SATHEESHKUMAR Advocate

For Respondent :Mrs.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

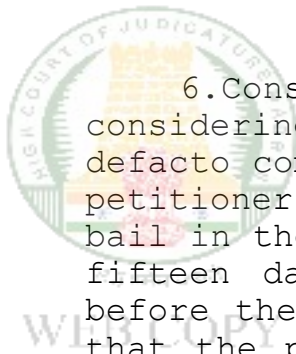
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406, 294(b), 506(i) and 494 of I.P.C in Crime No.75 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that the defacto complainant got married with the first accused and out of wed-lock, they got two girl children. Subsequently, the first accused married one Meri Sarapathin-A6. When the defacto complainant questioned the same, all the family members abused her with filthy language and intimidated her with dire consequence and also demanded dowry.

4.It is submitted by the learned counsel for the petitioner that the petitioner is the father-in-law of the defacto complainant and was in Maharashtra at the relevant point of time and he is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

5.The learned Government Advocate (Crl. side) submitted that due to matrimonial dispute, the petitioner and other accused, demanded dowry from the defacto complainant.



6.Considering the facts and circumstances of the case and also considering the fact that the petitioner is the father-in-law of the defacto complainant, 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, 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 as and when required for interrogation.

[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]**.

sd/-
03/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT

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

+1. CC to M/S.S.SATHEESHKUMAR Advocate SR.No.65468

JAM/09.11.16/GSV-PM/SAR 3 /2P-6C