



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

Wednesday, the Twenty Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21759 of 2016

SATHYAPAL

..PETITIONER/ACCUSED No.3

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DINDIGUL.

IN CRIME NO.36 OF 2012.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.ANANTHAPADMANABHAN Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 IPC and Section 4 of Dowry Prohibition Act in C.C.No.503 of 2012 on the file of the Judicial Magistrate No.II, Dindigul, the petitioner has come forward with this petition seeking anticipatory bail.

2.Heard the learned Government Advocate (Crl. Side) appearing for the respondent police.

3.The petitioner is facing trial in C.C.No.503 of 2012 for the offences under Sections 498(A), 406 IPC and Section 4 of Dowry Prohibition Act. Since he has been absconding, an absconding charge sheet was filed before the Judicial Magistrate No.II, Dindigul in C.C.No.503 of 2012.

4. It is the case of the petitioner that he is innocent and he is no way connected with the offence. He would further submit that he will cooperate for investigation and undertakes to appear before the trial court on all future hearings.

5. Learned Government Advocate (Crl. Side) submitted that on completion of investigation, absconding charge sheet has been filed against the petitioner in C.C.No.503 of 2012 before the Judicial Magistrate No.II, Dindigul, and he may be directed to appear before the trial court on all future hearings without fail.

6. Considering the facts and circumstances of the case and also taking note of the fact that on completion of investigation, charge sheet has been laid in C.C.No.503 of 2012 before the Judicial Magistrate No.II, Dindigul, this Court is of the view that custodial interrogation of the petitioner is not necessary at this stage.

<https://hcservices.ecourts.gov.in/hcservices/>

Therefore, this Court is inclined to grant anticipatory bail to the petitioner.



7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Dindigul, subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 Magistrate concerned;

(ii) the petitioner shall report before the Judicial Magistrate No.II, Dindigul, on all future hearings without fail.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

[v] on breach of any of the aforesaid conditions, the 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 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]**.

8. The trial court is expected to proceed with the trial without adjourning the matter beyond 10 working days or two weeks at any point of time .

sd/-

23/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, DINDIGUL.

+1. CC to M/S.N.ANANTHAPADMANABHAN Advocate SR.No.72105

ORDER IN

CRL OP(MD) No.21759 of 2016

Date :23/11/2016