



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

Thursday, the First day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22712 of 2016

T.NETHAJI,

... PETITIONER / ACCUSED No.1

Vs

The State rep.by
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, USILAMPATTI,
MADURAI DISTRICT.
CRIME NO.50 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.NIRANJAN.S.KUMAR 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 offence punishable under Sections 498(A), 294(b), 406, 506(ii) IPC and Section 4 of Dowry Prohibition Act, 1961 in Crime No.50 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the de facto complainant and the petitioner are husband and wife. Due to demand of additional dowry, the petitioner along with other accused abused the de facto complainant in filthy language and also threatened her with dire consequences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner filed a petition in H.M.O.P.No.168 of 2016 for divorce before the Sub court, Theni and after filing of this petition, the present complaint has been lodged.

4.The learned Government Advocate (Crl.side) submitted that no one sustained injury and investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that no one sustained injury, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Usilampatti, 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 10.30 a.m. 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)** .

sd/-
01/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, USILAMPATTI,
MADURAI DISTRICT. CRIME NO.50 OF 2016
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.NIRANJAN.S.KUMAR Advocate SR.No.74907

sm:CK:SAR 3:09/12/2016:2P/6C

ORDER
IN
CRL OP(MD) No.22712 of 2016
Date :01/12/2016