



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

Friday, the Second day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22828 of 2016

C.R.RANGANATH ARUN,

..PETITIONER/ACCUSED No.3

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,

All women police station,

BODINAYAKANUR,

THENI District.

CR.NO.16 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.ANTONY ARUL RAJ 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 Section 498(A) IPC and Section 4 of D.P.Act in Crime No.16 of 2015 on the file of the respondent police, the petitioner/A3 has come forward with this petition seeking anticipatory bail.

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

3. The case of the prosecution is that the petitioner along with other accused is alleged to have demanded dowry from the defacto complainant and also caused cruelty on her, which resulted in registration of the case.

4. Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case. He would further submit that HMOPs filed by both parties are pending.

5. Learned Government Advocate (Crl.Side) submitted that charge sheet has been filed before the concerned jurisdictional Court.

6. Considering the facts and circumstances of the case and also taking note of the fact that charge sheet has already been filed and also the fact that HMOPs are pending, this Court is of the view that custodial interrogation of this petitioner is not necessary.

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, Bodinayakanur, subject to the following conditions:**

(i) 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 Magistrate concerned;

(ii) the petitioner shall appear before the concerned jurisdictional Court all hearing dates 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

sd/-

02/12/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, BODINAYAKANUR, THENI DISTRICT.

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

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

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, BODINAYAKANUR, THENI DISTRICT.

+1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No.79393

ORDER IN

CRL OP(MD) No.22828 of 2016

Date : 02/12/2016

PBK/GSV-PM/SAR-III 12/12/2016 :: 2P-6C: