



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

Monday, the Eighteenth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.6467 of 2016

BABY ... PETITIONER / ACCUSED No.6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.
CR. NO.8/2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S G.THALAIMUTHARASU Advocate

For Respondent : M/S.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

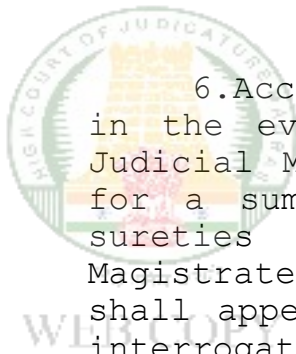
The petitioner, who is arrayed as A6, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494 of IPC and Section 4 of Dowry Prohibition Act, in Crime No.8 of 2016 on the file of the respondent police hence, seeks anticipatory bail.

2.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence and a false case has been foisted against him. He further submitted that already A4 and A5 were granted anticipatory bail by this Court on 07.04.2016 in Crl.O.P.(MD)No.6060 of 2016.

3.Heard the learned Government Advocate (Crl.side) appearing for the State.

4.It is seen that the 1st accused got married to the de facto complainant on 10.08.1999 and on account of matrimonial discard, they got estranged. On the complaint lodged by the de facto complainant, the respondent Police have registered the present case in Crime No.8 of 2016.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Kovilpatti, and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent Police as and when required for interrogation. The petitioner shall not tamper with evidence or witness either during investigation or trial. The petitioner shall not abscond either during investigation or trial. 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala (2005 AIR SCW 5560).

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8. It is made clear that if the petitioner fails to comply with the condition as stipulated above by this Court, the respondent police is directed to move an application for cancellation of anticipatory bail before this Court immediately.

sd/-

18/04/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KOVILPATTI, THOOTHUKUDI DISTRICT.

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.21559

RG.JGB-DP/SAR-I 21.04.2016 2P.6C

ORDER

IN

CRL OP(MD) No.6467 of 2016

Date : 18/04/2016