



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

Tuesday, the Nineteenth day of July Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.6863 of 2016

KATTAPPAN

... PETITIONER/1st ACCUSED

Vs

THE STATE BY
THE INSPECTOR OF POLICE
AWPS, PALANI, DINDIGUL DISTRICT
CR.NO.4 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S D.VENKATESH Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

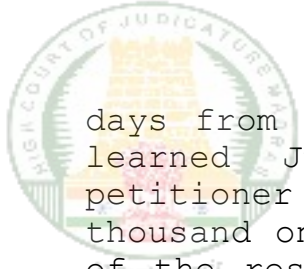
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498-A, 294(b), 506(i) of IPC and Section 4 of the D.P.Act, in Crime No.4 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the *de-facto* complainant was solemnized on 23.02.2015. At the time of marriage, 25 sovereigns of gold jewels and household articles worth about Rs.2,00,000/- were given as dowry. After the marriage, the petitioner and other accused demanded more dowry and tortured the defacto complainant. On complaint, case has been registered for the above said offences.

3.It is represented by the learned counsel for the petitioner as well as the learned Government Advocate (Crl. side) that the dispute between the parties has been settled amicably before the Mediation and Conciliation Centre and they have agreed for reunion. A Mediation Report, dated 15.07.2016, has been placed before this Court and the same is taken on record.

4.In view of the above submissions, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner 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, Palani, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
19/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE
PALANI
- 2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE
AWPS, PALANI DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S D.VENKATESH Advocate SR.No.37800

ORDER IN
CRL OP(MD) No.6863 of 2016
Date :19/07/2016