



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

Friday, the Twenty Fourth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9500 of 2016

PERUMAL

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
USILAMPATTI, MADURAI DISTRICT.
CR. NO.19/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.SENGUTTARASAN Advocate

For Respondent : MR.P.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 Accused No.4, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406, 109 IPC and Section 4 of Dowry Prohibition Act, in Crime No.19 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 A.1 and de facto complainant has been performed on 12.02.2016 and due to matrimonial dispute, the de facto complainant has lodged a complaint before the respondent police against the petitioner and other accused and a case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and due to misunderstanding between A.1 and de facto complainant, the de facto complainant has lodged a false complaint before the respondent police and the petitioner is only the brother of the father-in-law of the de facto complainant and the co-accused were already granted anticipatory bail by this Court vide order dated 25.05.2016 made in Crl.O.P(MD)No.8238 of 2016.

4.The learned Government Advocate (Criminal side) submitted that the petitioner and other accused harassed the de facto complainant.

5.Considering the facts and circumstances of the case and also the fact that the petitioner is only the brother of the father-in-law of the de facto complainant and the co-accused were already granted anticipatory bail by this Court vide order dated 25.05.2016 made

in CrI.O.P(MD)No.8238 of 2016, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 No.1, Usilampatti, Madurai District, 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 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 by the respondent police.
- (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/-

24/06/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
USILAMPATTI, MADURAI DISTRICT.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, USILAMPATTI,
MADURAI DISTRICT.

+1. CC to M/S P.SENGUTTUARASAN Advocate SR.No.33108.

ORDER

IN

CRL OP(MD) No.9500 of 2016

Date :24/06/2016