



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.10747 of 2017

T.KABILESH

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, UTHAMAPALAYAM,

THENI DISTRICT

CRIME NO.16 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.MARAN Advocate

For Respondent : MR.C.RAMESH, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

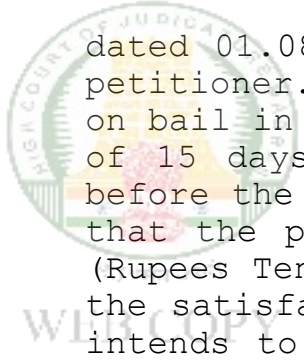
The petitioner / accused No.1, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 498(A), 506(i) of IPC and Section 4 of TNPWH Act and Section 4 of DP Act in Crime No.16 of 2017 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the de facto complainant loved each other and on 06.07.2017 their marriage was took place at Veerapandi Gowmariamman Temple and for demand of more dowry, the de facto complainant has given a complaint on 20.07.2017.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further state that co-accused viz., A2 to A8 were already granted anticipatory bail by this Court in Crl.O.P(MD).No.9932 of 2017, dated 01.08.2017.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that it is a matrimonial dispute and the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the fact that co-accused were already granted anticipatory bail by this Court in Crl.O.P(MD).No.9932 of 2017,



dated 01.08.2017, 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, Uthamapalayam, 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 appear before the respondent Police daily at 10.30 am 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
28/09/2017

/ TRUE COPY /

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

TRP
TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
UTHAMAPALAYAM, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.MARAN Advocate SR.No.31950

GJM/PM/PN/SAR-3-4.10.17-2P-6C

ORDER
IN
CRL OP(MD) No.10747 of 2017
Date :28/09/2017