



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

Friday, the Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.11507 of 2017

WEB COPY

SENTHIL MURUGAN

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PAPANASAM, THANJAVUR DISTRICT.
CRIME NO.2/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

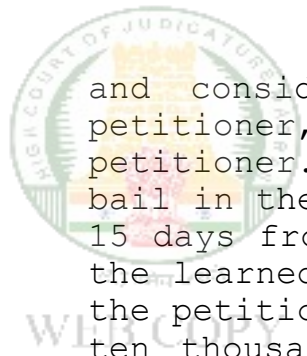
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 498-A and 506(i) IPC in Crime No.2 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 are husband and wife. After marriage between them, the petitioner went to abroad for job. The de facto complainant purchased a property in her name by getting money from her mother. When the petitioner returned from abroad and insisted his wife to transfer the property in his name and hence, a dispute arose between them. Due to which, the petitioner along with other accused threatened and harassed the de facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner used to send money from abroad to the de facto complainant through her bank account for purchasing the property in question and after returning from abroad, the attitude of the de fact complainant is not a satisfactory one and hence, the petitioner asked her to transfer the property in his name.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that totally there are two accused and the petitioner is arrayed as A1 in this case. He also submitted that A2 was granted anticipatory bail by this Court in Crl.O.P.(MD)No.3121 of 2017 on 28.05.2017 and investigation is still pending.



5.Considering the facts and circumstances of the case and considering the nature of allegations leveled against the petitioner, 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 No.III, Thanjavur, 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 report before the respondent Police daily at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

[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 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)**.

sd/-

08/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, THANJAVUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, PAPANASAM, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.30509

ORDER

IN

CRL OP(MD) No.11507 of 2017

Date :08/09/2017

PK/PM-PN/SAR-2/13.09.2017 : 2P/6C