



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

Monday, the Fifth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.6508 of 2017

KANAGARAJ

... PETITIONER/ACCUSED NO.2

Vs

STATE THROUGH BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
GOLDEN ROCK,
TRICHY DISTRICT,
CRIME NO. 6/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.SUSI KUMAR 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 is arrayed as A2 in Crime No.6 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 495, 294(b) and 506(ii) IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3.The learned counsel for the petitioner submitted that the petitioner along with the other accused is alleged to have ill-treated the defacto complainant and they illegally conducted second marriage to A1, the husband of the defacto complainant. The petitioner is the father in law of the defacto complainant. The defacto complainant herself left the matrimonial home. The earlier complaint given by the defacto complainant has been closed based on the assurance given by the petitioner to pay a sum of Rs.2 lakhs for alimony, after getting the retirement benefits. Since the petitioner is not able to get the retirement benefits and to pay the said amount to the defacto complainant, the defacto complainant has filed this false complaint. On receiving the retirement benefits, the petitioner would pay the said amount to the defacto complainant. The husband of the defacto complainant/A1 and the sister-in-law of the defacto complainant/A4 have been arrested. The petitioner is



innocent. He has not committed any offence as alleged in the complaint.

4. The learned Additional Public Prosecutor appearing for the respondent / Police submitted that A1 and A4 have already been arrested and that the investigation is pending.

5. First of all, this Court is inclined to record its displeasure that the the respondent Police has unfortunately arrested the sister-in-law of the defacto complainant, who was already married. Considering the facts and circumstances of the case, 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 before the learned Judicial Magistrate cum Additional Mahila Court, Trichy 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 comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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 shall stand dismissed.

sd/-
05/06/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE CUM ADDITIONAL MAHILA JUDGE, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, GOLDEN ROCK, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.SUSI KUMAR Advocate SR.No.23220

ORDER
IN
CRL OP(MD) No.6508 of 2017
Date :05/06/2017