



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

Thursday, the Second day of February Two Thousand Seventeen
PRESENT

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

CRL OP(MD) No.683 of 2017

MANOJ

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NILAKKOTTAI,
DINDIGUL DISTRICT
(CRIME NO.23 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : M/S.P.KANDASAMY
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

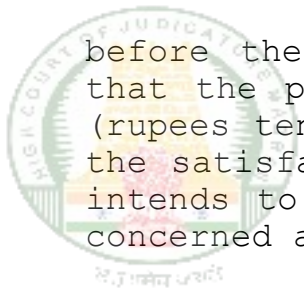
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 498(A), 294(b), 406, 323, 506(ii) IPC and Section 4 of Dowry Prohibition Act, in Crime No.23 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, who is the husband of the de-facto complainant, harassed the de facto complainant by demanding dowry.

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 suppressing the fact that the de facto complainant is minor, the marriage between the petitioner and the de facto complainant was performed. Hence, the petitioner filed a petition in H.M.O.P.No.177 of 2016 seeking to declare the marriage as null and void and thereafter, the present complaint has been filed.

4.The learned Government Advocate (Crl.side) submitted that totally there are 4 accused in this case and the petitioner is arrayed as A1. He also submitted that co accused were enlarged on anticipatory bail by this Court by order dated 23.12.2016 in Crl.O.P.(MD)No.23741 of 2016 and investigation is still pending.

5.Considering the facts and circumstances of the case and also taking note of the gravity of offence said to have been committed by 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, Nilakkottai, 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. 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 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/-
02/02/2017

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE
NILAKKOTTAI.
- 2.THE CHIEF JUDICIAL MAGISTRATE
DINDUGAL DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NILAKKOTTAI,
DINDIGUL DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.B.JEYAKUMAR Advocate SR.No.5860

AE/PN/SAR1/09.02.2017/2P/6C

ORDER
IN
CRL OP(MD) No.683 of 2017
Date :02/02/2017