



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

Thursday, the Sixth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.6945 of 2017

MURUGAN

... PETITIONER/ACCUSED NO.1

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
KRISHNANKOVIL POLICE STATION,
VIRUDHUNAGAR DISTRICT
CRIME NO. 94 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SANKAR 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 :-

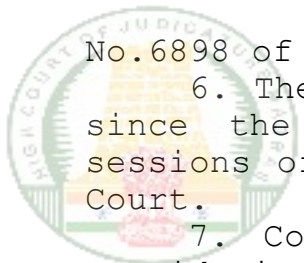
The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 323 I.P.C., in crime No.94 of 2017, seeks anticipatory bail.

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

3.The case of the prosecution is that the petitioner is having illegal intimacy with the Accused No.2 in this case and he has snatched a chain from the defacto complainant and gave it to the Accused No.2 in this case and was committed cruelty and harassment to the defacto complainant and the petitioner has attacked the defacto complainant and his son with stick and the injured was discharged from the hospital.

4. The learned counsel appearing for the petitioner states that there was a money dispute between the brother-in-law of the petitioner and the petitioner asked the defacto complainant to collect the money from her brother and there was a wordy quarrel between them and the defacto complainant lodged a false case against the petitioner. It is further stated that the petitioner is innocent and he had not committed any offence as alleged by the defacto complainant and by the prosecution.

5. The learned Additional Public Prosecutor appearing for the respondent on instructions states that there are totally two accused in this case and the petitioner herein arrayed as Accused No.1., who is the husband of the defacto complainant and the Accused No.1 is having illegal intimacy with the Accused No.2. Accused No.2 was granted anticipatory bail by this Court as per order in CrI.O.P.(MD)



No.6898 of 2017, dated 08.06.2017.

6. The case was referred to mediation and the mediation fails, since the defacto complainant was continuously absent in both sessions of mediation and hence, the case is referred back to this Court.

7. Considering the facts and circumstances of the case and considering the fact that the defacto complainant failed to appear before the Mediation and Conciliation centre and also granting of Anticipatory Bail in favour of the Accused No.2 by this Court, 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 No.II, Srivilliputhur, Virudhunagar District 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 learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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 stands dismissed.

sd/-

06/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
KRISHNANKOVIL POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.M.SANKAR Advocate SR.No.26067

ORDER

IN

CRL OP(MD) No.6945 of 2017

Date :06/07/2017