



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

Thursday, the Twenty First day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.9915 of 2017

MUTHU LAKSHMANAN

...PETITIONERS/ACCUSED No.1

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAIKUDI,
SIVAGANGAI DISTRICT
(CRIME NO.9 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.AR.L.SUNDARESAN, Senior Counsel,
for Mr.J.ANANDKUMAR Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

For Intervenor : Mr.R.ANAND, Advocate

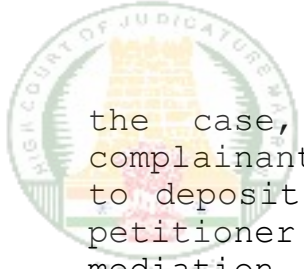
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/accused no.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406, 506(i) of I.P.C., and Section 4 of TNPWH Act, in Crime No.9 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that marriage between the defacto complainant and the first accused was solemnised on 08.06.2017. Immediately after marriage, on 10.06.2017, the defacto complainant left the matrimonial home and gave a complaint on 12.06.2017 against the petitioner No.1 and other accused persons that they are demanding the dowry and also they are keeping 20 sovereigns of gold jewels, two diamond ornaments, 4 kgs of silver articles and a sum of Rs.2,00,000/- (Rupees Two Lakhs only). Based on the complaint, a case has been registered against the petitioner No.1 and other accused persons and they are in-laws of the defacto complainant.

3. The learned senior counsel appearing for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. While entertaining



the case, the mother-in-law and sister-in-law of the defacto complainant were granted anticipatory bail by imposing the condition to deposit a sum of Rs.5 lakhs to this case crime number and the petitioner herein also co-operated with the mediation, however, mediation could not succeed. Thereafter, he left this Country in order to continue the job in abroad. He further submitted that the petitioner will be given undertaking to co-operate the investigation with the respondent police as and when summons received from the respondent police, in order to complete the criminal case and he is ready to abide any condition imposed by this Court.

4. The learned counsel appearing for the intervenor would submit that as per the direction of this Court, the petitioner/accused no.1 did not appear before the Mediation Centre and thereafter, he left the country and stayed in abroad for continuing the job. He further requested this Court to impose the stringent condition to the petitioner/accused no.1 in order to complete the investigation within a stipulated time.

5.The learned Government Advocate (Crl.side) appearing for the State submitted that the investigation is not yet completed, if the petitioner co-operate the investigation with the respondent police, he has no objection to grant anticipatory bail to the petitioner/A1 by this Court.

6.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that the investigation is still pending, I am 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.9 of 2017 before the learned Judicial Magistrate, Karaikudi, without prejudice to his defence before the trial Court and thereafter, the trial Court shall accept the sureties furnished by the petitioner.

(ii) As and when summons received from the respondent police, the petitioner must appear before the respondent police for completing the investigation and the petitioner is also directed to co-operate the early completion of



(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not abscond either during investigation or trial.

(vi) the petitioner shall not commit any offence while on bail;

(vi) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-
21/12/2017

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

TO

1 THE JUDICIAL MAGISTRATE
KARAIKUDI

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAIKUDI,
SIVAGANGAI DISTRICT

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

+1 CC to Mr.J.ANANDKUMAR, Advocate SR.No.36813

+1 CC to Mr.R.ANAND, Advocate SR.No.36718

ORDER
IN
CRL OP(MD) No.9915 of 2017
Date :21/12/2017

SH/CM/SAR-4:27.12.2017:2P/7C