



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

Monday, the Ninth day of January Two Thousand Seventeen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.23781 of 2016

KINSHU CHAUHAN,

... PETITIONER / ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, TUTICORIN
(IN CRIME NO.30/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.K.TAMILCHELVAN Advocate
For Respondent : M/S.K.ANBARASAN,
Govt. Advocate (Crl. Side)

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

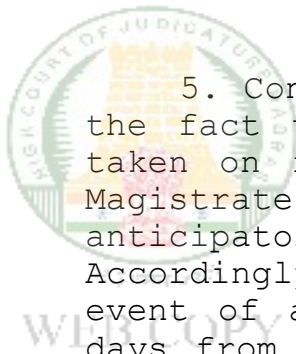
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498-A and 506(i) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.30 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the petitioner and the *de-facto* complainant was solemnized on 01.12.2013. At the time of marriage, the parents of the *de-facto* complainant gave 42 sovereigns of gold jewels and household articles worth about Rs.1,00,000/- and a sum of Rs.7,00,000/- as dowry. After the marriage, both were living together in the matrimonial home and at that time, the petitioner was working in A & T Company and he left the job and demanded more dowry to start business relating to C.C.T.V. Camera.

3. The case of the petitioner is that he is an innocent person and he has not demanded any money and the *de-facto* complainant was blackmailing the petitioner to meet out her demand for luxurious expenses. She made a false complaint and was claiming 20 lakhs from the petitioner.

4. The learned Government Advocate (Criminal side) submitted that a charge sheet has been filed in this case and the same has been taken on file in C.C.No.310 of 2016 on the file of the Judicial Magistrate Court No.I, Tuticorin.



5. Considering the facts and circumstances of the case and also the fact that charge sheet has been filed and the same has been taken on file in C.C.No.310 of 2016 on the file of the Judicial Magistrate Court No.I, Tuticorin, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tuticorin, 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 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 appear before the Trial Court on all future hearings without fail;

(ii) the petitioner shall not tamper with the witness during trial; and

(iii) the petitioner shall not abscond during trial.

(iv) 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/-

09/01/2017

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

TO

1. JUDICIAL MAGISTRATE NO.I,
TUTICORIN DISTRICT
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT
3. ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, TUTICORIN

+1. CC to M/S.C.K.TAMILCHELVAN Advocate SR.No.1577

smn2

RL/SS2/SAR1/10.01.2017/2p/6c

ORDER

IN

CRL OP(MD) No.23781 of 2016

Date :09/01/2017