



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18054 of 2017

1 SILAMPARASAN
2 MANGANI

... PETITIONERS / ACCUSED 1 & 2

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KODAIKANAL,
DINDIGUL DISTRICT,
CRIME NO.NOT KNOWN OF 2017

2 REJINA MARY

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.G.MUTHUMANI Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 506(i) of IPC in Crime No.not known of 2017 on the file of the respondent police, seek anticipatory bail.

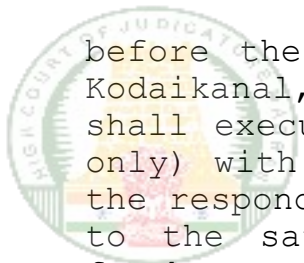
2.Heard the learned counsel on either side.

3.The case of the prosecution is that due to demand of additional dowry, the petitioners have harassed the de facto complainant and threatened her with dire consequences.

4.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and prays for anticipatory bail in favour of the petitioners.

5.The learned Government Advocate (Crl.side) submitted that charge sheet has not been filed in this case.

6.Considering the facts and circumstances of the case, I am inclined to grant interim anticipatory bail to the petitioners. Accordingly, interim anticipatory bail is granted till 29.01.2018 in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order,



before the learned Judicial Magistrate cum District Munsif Court, Kodaikanal, Dindigul District on condition that the petitioners 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 petitioners shall report before the respondent Police as and when required.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

7. Notice to the 2nd respondent returnable by 29.01.2018 and private notice is also permitted. The petitioner is directed to take private notice to the 2nd respondent by Speed Post on or before 02.01.2018 and file the proof of service into the Registry on or before 19.01.2018. After completion of service, Registry is directed to verify as to whether any counsel has entered appearance for the 2nd respondent and if so, print the name of the counsel; else print the name of the 2nd respondent in the cause list. If the petitioner failed to file proof of service, this Criminal Original petition stands dismissed automatically.

The respondent Police is directed to conduct enquiry on day to day basis and it shall not be adjourned beyond three working days at any point of time and the party shall appear for the enquiry.

sd/-

28/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE CUM DISTRICT MUNSIF,
KODAIKANAL, DINDIGUL DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KODAIKANAL, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.18054 of 2017

Date :28/12/2017