



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

Friday, the Sixteenth day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2514 of 2018

VEERAMANIKANDAN,

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.
IN CRIME NO.151 OF 2018.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.CHELLAPANDIAN Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

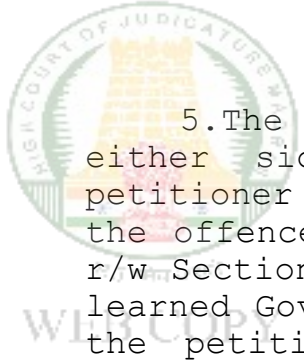
ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 324, 494 and 506(ii) I.P.C., and r/w Section 4 of Women Harassments Act, in Crime No.151 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. The petitioner is having illegal intimacy with another girl, due to that, there was a dispute arose between the petitioner and the defacto complainant. Thereby, the petitioner assaulted the defacto complainant and abused her by using filthy language. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated, further added that he had not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Criminal Side) submitted that investigation is still pending.



5. The submissions made by the learned counsel appearing on either side are considered. The defacto complainant and the petitioner are husband and wife. The case has been registered for the offence under Section 294(b), 324, 494 and 506(ii) I.P.C., and r/w Section 4 of Women Harassments Act. The submission made by the learned Government Advocate (Crl.Side) appearing for the State that the petitioner herein made illegal intimacy with another girl. According to him, second marriage is not performed. Therefore, having regard to the offence committed by the petitioner, custodial interrogation may not be necessary, hence, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, he 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.II, Dindigul, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 report before the South Police Station, Dindigul District daily at 10.00 a.m until further orders.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and 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/-
16/02/2018

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



msa
TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.

4 THE INSPECTOR OF POLICE,
THE SOUTH POLICE STATION,
DINDIGUL

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

+1. CC to M/S.M.CHELLAPANDIAN Advocate SR.No.2601

ORDER

IN

CRL OP (MD) No.2514 of 2018

Date :16/02/2018

SMA/PM-PN/SAR-4/26.02.2018:3P/7C