



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

Friday, the Sixth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.5396 of 2018

SHANMUGAPANDI

... PETITIONER/ACCUSED No.1

Vs

STATE REPRESENTED BY,
THE SUB INSPECTOR OF POLICE,
SANKARANKOIL TOWN POLICE SATION,
TIRUNELVELI DISTRICT.

... RESPONDENT

For Petitioner : M/S.R.MATHAVA SELVAM, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under Section 306 IPC, in Crime No.458 of 2016, seeks anticipatory bail.

2.The case of the prosecution is that due to matrimonial dispute, the deceased, who is the wife of the petitioner, left the matrimonial home and committed suicide and died on 27.09.2016. On complaint, a case has been registered against the petitioner.

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for bail in favour of the petitioner.

4.It is submitted by the learned Government Advocate (Criminal side) that the investigation is still pending.

5.The petitioner is working as a Police Constable. His wife committed suicide on 29.07.2016. Now, the children are with the petitioner only. The marriage between the petitioner and his wife took place in the year 2003.The petitioner had filed H.M.O.P.No.124



of 2013 against his wife for divorce. It is pointed out that the petitioner's wife committed suicide in her house and not in the house of the petitioner.

6. Taking note of the above said facts and circumstances, 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, Sankarankovil, Tirunelveli 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 respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7. 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 shall stand dismissed.

sd/-
06/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
SANKARANKOIL TOWN POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.MATHAVA SELVAM Advocate SR.No.5576

ORDER
IN
CRL OP(MD) No.5396 of 2018
Date : 06/04/2018