



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

Friday, the Twenty Third day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17604 of 2017

ABBAS

... PETITIONER / ACCUSED A1

Vs

STATE THROUGH THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THENI.

(CRIME NO.28 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.SYED ABDUL KADER 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/Accused No.1, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 498-A, 506(i) and 109 of IPC., Section 4 of the Prohibition of Harassment of Women Act and Section 4 of the Dowry Prohibition Act, in Crime No.28 of 2017, seeks anticipatory bail.

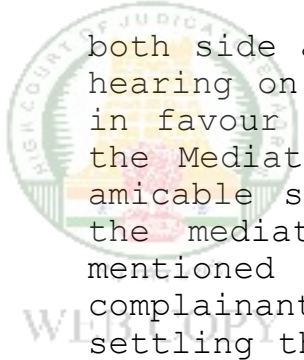
2.The case of the prosecution is that the marriage between the petitioner/A1 and the defacto complainant was solemnized in the year 2013. Subsequently, the petitioner demanded more dowry from the defacto complainant, abused her by using filthy language and threatened her with dire consequences. Hence, the case has been registered against the accused persons for the above said incident.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that after getting interim anticipatory bail, the petitioner has not complied the condition. According to the prosecution, the investigation is still pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The submission made by the learned counsels appearing for



both side are considered. Initially, when the case was taken up for hearing on 18.01.2018, this Court granted interim anticipatory bail in favour of the petitioner with a direction to refer the case to the Mediation and Coinciliation Centre attached to this Bench for amicable settlement between the parties. Now, after completion of the mediation process, a report was received, in which it is mentioned that despite of three adjournments, the defacto complainant had not appeared before the Mediation Centre for settling the issue, for which the learned counsel appearing for the petitioner submitted that as of now, the defacto complainant is residing in Dubai. Further, on going through the submission made by the learned Government Advocate (Criminal side), it seems that after getting interim anticipatory bail on 18.01.2018, the petitioner has not complied the condition as stipulated by this Court. Hence, for the violation of the conditions imposed by this Court, this Court came to the conclusion that the petitioner does not deserve to get anticipatory bail. Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/02/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.SYED ABDUL KADER Advocate SR.No.2968

PJL

JAM/14/03/2018/ CM-VR / SAR 3 /2P-6C

ORDER
IN
CRL OP(MD) No.17604 of 2017
Date :23/02/2018