



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CRL OP(MD) No.7568 of 2018

A.MARIPANDI

... PETITIONER/ ACCUSED-1

Vs

STATE REP.BY  
THE INSEPCTOR OF POLICE  
ALL WOMAN POLICE STATION,  
SIVAGANGAI.  
CRIME NO.8 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.RAMU, Advocate

For Respondent : M/S.M.ASOKAN, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

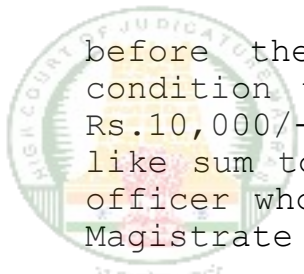
The petitioner, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 498 (a), 406 and 506(i) of IPC in Crime No.8 of 2018 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife and their marriage was solemnized during the year 2008 and they got two children and due to misunderstanding between them divorce proceedings is also pending before the Family Court in HMOP No.83 of 2018.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police on instruction would submit that the petitioner deserted his wife without any valid reason and he is also working as a driver in Electricity Board and the investigation is still pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that the injured has been discharged only on 02.09.2017, I am inclined to grant anticipatory bail to the petitioner. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready,



before the learned Judicial Magistrate Court I, Sivagangai 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

[c] the petitioner 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 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/-  
03/05/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.
3. THE INSEPCTOR OF POLICE  
ALL WOMAN POLICE STATION, SIVAGANGAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.RAMU Advocate SR.No.8159

ORDER  
IN  
CRL OP(MD) No.7568 of 2018  
Date :03/05/2018

**MS/CM-VR/GSR/04.05.2018/2P.6C**