



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP (MD) No.7628 of 2018

SATHISHKUMAR

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY,
THE INSEPCTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM,
TUTICORIN DISTRICT.
CRIME NO. 6/2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.SUSIKUMAR, Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 498(A), 417, 323, 406 of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 4 of Dowry Prohibition Act in Crime No.6 of 2018 on the file of the respondent Police, seeks anticipatory bail.

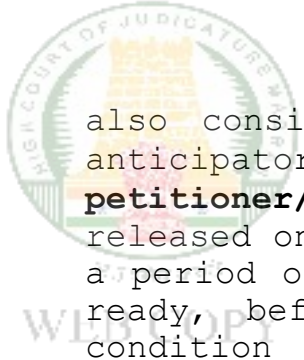
2.The case of the prosecution is that the marriage between the first accused and the *defacto complainant* was solemnized on 14.09.2016. Thereafter, the petitioner along with his family members harassed the *defacto complainant* by demanding additional dowry.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and false case has been filed against him and submit that the co-accused were already released on anticipatory bail.

4.The learned Government Advocate [Criminal side] appearing for the respondent Police on instructions would submit that the petitioners/ accused 2 to 4, were already released on anticipatory bail on 24.04.2018.

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

5.Considering the facts and circumstances of the case and



also considering the fact that co-accused have been released on anticipatory bail, I am **inclined to grant anticipatory bail to the petitioner/A1**. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Srivaikundam, 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/-

09/05/2018

/ TRUE COPY /

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

TO

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

ORDER

IN

CRL OP(MD) No.7628 of 2018

Date : 09/05/2018