



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

Monday, the Seventeenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22252 of 2018

DISANTHAN

... PETITIONER / ACCUSED No. 1

Vs

THE STATE THROUGH,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI DISTRICT.
CR NO. 9 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SELVENDARAN Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

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 offences punishable under Sections 498(A), 294(b), 406 and 506(i) of IPC, in Crime No.9 of 2018, seeks anticipatory bail.

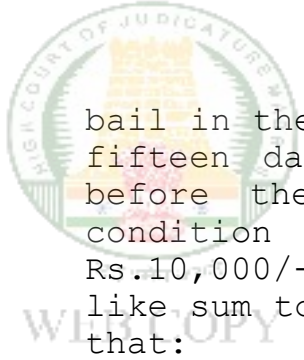
2.The case of the prosecution is that the petitioner along with other accused demanded more dowry from the defacto complainant and harassed her.

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

4.The learned Additional Public Prosecutor for the respondent police submitted that in this case, investigation has been completed and charge sheet was filed in C.C.No.145 of 2018 before the Additional Mahila Court, Madurai.

5.Taking into consideration the facts of the case and also considering the fact that investigation has been completed and charge sheet was filed, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner 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 Judge, Additional Mahila Court, Madurai 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 said Judge, on further condition that:

[a] if the petitioner fail to surrender before the said Judge within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the trial Court on all hearing dates without fail.

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

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
17/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDGE, ADDITIONAL MAHILA COURT,
MADURAI
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.M.SELVENDARAN Advocate SR.No.23432

ORDER
IN
CRL OP(MD) No.22252 of 2018
Date :17/12/2018