



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

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14568 of 2018

SENTHILKUMAR

... PETITIONER/ ACCUSED No.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CANTONMENT, TRICHY CITY
Crime No.8/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.MAHENDRAPATHY Advocate

For Respondent : Mrs.M.ANANTHA DEVI Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Section 354-D I.P.C @ Sections 498-A, 406 and 354-D I.P.C, in Crime No.08 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. At the time of marriage, the defacto complainant's parents gave 15 sovereigns of gold ornaments and other utensils. On the instigation of the petitioner's parents, the petitioner threatened the defacto complainant that he will defame her by posting false statements through Whatsapp and thereby committed the offence. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that due to some family dispute, the defacto complainant voluntarily left the matrimonial home and the petitioner made efforts for reunion but went in vain. Hence, the petitioner filed a divorce petition before the Sub Court, Aruppukottai in HMOP.No.77 of 2017 and the same is pending. The defacto complainant filed a Domestic Violence Act before the Additional Mahila Court, Trichy in M.C.No.82 of 2017 and the same is pending. He further submits that the defacto complainant lodged a complaint as against the petitioner before the same respondent in the month of July 2017 and again she filed a false case for the same set of allegation. Hence, he prays for anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent submits that the charge sheet has been laid before the learned Additional Mahila Court, Trichy and the same was taken cognizance in C.C.No.92 of 2018 and same is posted for hearing on 24.08.2018.

5.Taking note of all these aspects, 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 Additional Mahila Court, Trichy 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 Trial Court on all hearing without fail. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.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/-
20/08/2018

/ TRUE COPY /

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

TO

- 1.THE JUDGE,
ADDITIONAL MAHILA COURT, TRICHY.
 - 2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, CANTONMENT, TRICHY CITY.
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.MAHENDRAPATHY Advocate SR.No.15910

ORDER
IN
CRL OP(MD) No.14568 of 2018
Date :20/08/2018

TK/PN/SAR.2/27.08.2018/2P-5C