



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.22959 of 2018

1 C. GOHUL RAJAN	... PETITIONER NO.1/ ACCUSED NO.1
2 K. CHINNACHAMY	... PETITIONER NO.2/ ACCUSED NO.2
3 C. RADHAMANI	... PETITIONER NO.3/ ACCUSED NO.3

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.SIVARAMAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 294(b), 323, 324, 341, 452 and 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of harassment of Women At, 2002 registered in Crime No.590 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the husband of the defacto complainant and the second and third petitioners are the in-laws of the defacto complainant. It is alleged that the petitioners have demanded dowry from the defacto complainant and attacked the defacto complainant. Hence this complaint came to be registered before the respondent police.

3.The learned Government Advocate (crl.side) submitted that the injured person has been discharged from the hospital.



4. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No. III, Dindigul on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) if the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
27/12/2018

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.III,
DINDIGUL.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
SANARPATTI POLICE STATION,
DINDIGUL.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.D.SIVARAMAN Advocate SR.No.24151.

ORDER

IN

CRL OP (MD) No.22959 of 2018

Date :27/12/2018

AMS/PN/S-2/02.01.2019/3P/6C