



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

Friday, the Seventh day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.15599 of 2018

MATHIVANAN

... PETITIONER / ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME.NO.1 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.ALAGUSUNDAR Advocate

For Respondent : Mrs.M.ANANTHADEVI Govt. 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 offences punishable under Sections 294(b), 323, 406, 498(A), 506(ii) I.P.C and Section 4 of D.P. Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No. 1 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant married with the petitioner. Thereafter, the petitioner demanded more dowry for developing his business at the instance of his parents. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that after the marriage, the defacto complainant went to her parental home and stayed there and also quarrelled with the petitioner. In the circumstances, the petitioner had filed the H.M.O.P.No.7 of 2018 before the learned Family Court, Nagercoil seeking for divorce. Further, the defacto complainant had also filed the case in D.V.O.P.No.2 of 2018 before the learned Judicial Magistrate No.III, Nagercoil and the same is pending. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that H.M.O.P.No.7 of 2018 has been filed after



registering of the first information report only and the investigation is pending.

5. Taking note of the facts and circumstances, 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 Judicial Magistrate, Mahila Court, Nagercoil, Kanyakumari District 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 respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. 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/-

07/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE ,
MAHILA COURT, NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
KANYAKAURAI AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.ALAGUSUNDAR Advocate SR.No.17192
PS/RR/SAR-4:17/09/2018:2P/6C

ORDER

IN

CRL OP (MD) No.15599 of 2018

Date : 07/09/2018