



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

Friday, the Eleventh day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.539 of 2019

P.CHANDRAKUMAR @ SASIKUMAR

... PETITIONER / ACCUSED NO.3

Vs

THE STATE OF TAMIL NADU  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
KANYAKUMARI DISTRICT.  
(CRIME.NO.20/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.I.PINAYGASH 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, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(a) and 506(ii) IPC Sections 3, 4 and 5 of Dowry Prohibition Act, 1961 and Section 4(1) of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Cr.No.20 of 2015 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and others are said to have demanded dowry and harassed the defacto complainant. Hence, the complaint.

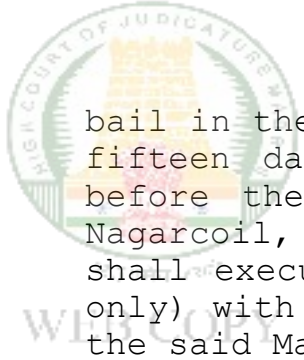
3. The learned counsel for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged offence.

4. The learned Government Advocate (crl. Side) would submit that there was a family dispute between the parties and he would further submit that the investigation is completed and the charge sheet has also been filed.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court inclined to grant anticipatory bail to the petitioner.

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

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 Judicial Magistrate (Fast Track Mahila Court) Nagarcoil, Kanyakumari District, 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 Magistrate, on further conditions that:

**[a]** if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

**[b]** the petitioner shall appear before the trial Court daily at 10.30 a.m., until further orders.

**[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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

11/01/2019

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

TO

- 1 THE JUDICIAL MAGISTRATE,  
(FAST TRACK MAHILA COURT), KANYAKUMARI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI 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 MR.I.PINAYGASH Advocate SR.No.752  
PS/PN/SAR-4/22.01.2019/2P/6C

ORDER

IN

CRL OP(MD) No.539 of 2019

Date :11/01/2019