



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 19/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8520 of 2019

Velraj,

... Petitioner/Sole Accused

Vs

State rep by
The Inspector of Police,
Bodi Town Police Station,
Theni District.
(Crime No.518 of 2019)

... Respondent/Complainant

For Petitioner : M/s.P.Senguttuarasan,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Govt.Advocate (Crl.Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.518 of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 380 (NP) in Crime No.518 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Due to some misunderstanding, the defacto complainant lodged a complaint against the petitioner herein. Hence, he prayed to grant anticipatory bail to the petitioner.



3. The learned Government Advocate (Criminal Side) appearing for the respondent has submitted that there was a matrimonial dispute between the petitioner and the defacto complainant. The petitioner demanded additional dowry from the defacto complainant and caused cruelty. Hence, she opposed this petition.

4. Taking into consideration of the fact that the dispute arose between the husband and wife and also the fact that the petitioner has already been living separately, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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, Bodi, Theni 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 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 petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

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

(iv) the petitioner 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/-
19/06/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
BODI, THENI DISTRICT.

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

3 THE INSPECTOR OF POLICE,
BODI TOWN POLICE STATION,
THENI DISTRICT.

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

+1 CC to MR.P.SENGUTTURASAN, Advocate (SR-10155[I] dated 21/06/2019
)

ORDER

IN

CRL OP(MD) No.8520 of 2019

Date :19/06/2019

das

AE/PN/SAR-I (24.06.2019) 3P 6C