



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

Wednesday, the Sixth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.19994 of 2018

KANI

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY ITS,
THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.209/2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.S.JEYAKARTHIK, Advocate

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

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

ORDER : The Court Made the following order :-

CRL.O.P. (MD) No.19994 of 2018

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 174 Cr.P.C., in Cr.No.209 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner and the deceased person were loved each other. The father of the petitioner demanded the deceased family members to give 50 sovereigns of gold as dowry with a car, for which, the deceased committed suicide in her parental home. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the deceased family members have refused to accept the petitioner's love with the deceased and due to the harassment of the deceased family, she committed suicide and the petitioner did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the investigation is still pending.



5.Considering the facts and circumstances of this case, 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 No.II, Ramanathapuram, 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 the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police 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 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]**; and;

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

sd/-
06/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM

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

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT



3 THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION, RAMNAD DISTRICT.

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

WEB COPY

+1. CC to MR.M.S.JEYAKARTHIK, Advocate SR.No.2589

ORDER
IN
CRL OP(MD) No.19994 of 2018
Date :06/02/2019

MM

PK/PN/SAR-1/13.02.2019 : 3P/6C