



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10004 of 2019

Velmurugan

... Petitioner/Accused No.1

Vs.

State rep. by
Inspector of Police,
All Women Police Station,
Rameswaram,
Ramanathapuram District.
Cr.No.8/2018).

... Respondent/Complainant

For Petitioner : M/s.A.Jayaramachandran,
Advocate.

For Respondent : Mrs.M.Ananathadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

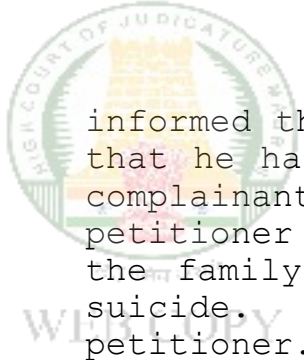
For Anticipatory Bail in Crime No.8/2018 on the file of the Respondent Police.

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 498(A) of IPC and Section 6 of Dowry Prohibition Act, 1961, in Crime No.8 of 2018, seeks anticipatory bail.

2.Heard both sides.

3.This is the third application seeking anticipatory bail. According to the learned counsel for the petitioner, the previous petitions were dismissed on the ground that the investigation is at initial stage, now the investigation has been completed and charge sheet has also been filed. He further submitted that the petitioner has withdrawn a sum of Rs.20,000/- from his bank account but, he has



informed the defacto complainant, who is the wife of the petitioner that he has taken Rs.10,000/- only, therefore, the defacto complainant has entertained a doubt over the conduct of the petitioner and frequently quarrelled with the petitioner as well as the family members, thereafter, she consumed poison and attempted suicide. After that, she lodged a false complaint against the petitioner. He further submitted that already this Court has granted anticipatory bail to the second accused. He also submitted that already investigation has been completed and hence, custodial interrogation is not necessary and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent has fairly conceded that already investigation has been completed and charge sheet has also been filed, but the same is not taken on file.

5. Taking into consideration of the fact that already investigation has been completed and charge sheet also filed and hence, the custodial interrogation is not necessary, 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 Court, Rameswaram, 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 fails 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.

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

TO

- 1 THE JUDICIAL MAGISTERATE, RAMESWARAM
 - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3 INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, RAMESWARAM,
RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.JAYARAMACHANDRAN, Advocate SR.No.11964

ORDER
IN
CRL OP(MD) No.10004 of 2019
Date :18/07/2019

das
JMN/VR/SAR-1/29.07.2019/3P-6C