



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2019

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.19420 of 2019

G. Mangai Kasthuri

... Petitioner/Accused 2

Vs

State Rep.by

1. The Inspector of Police,
Anna Nagar Police Station,
Madurai City.

2. The Inspector of Police,
Swaroop Nagar Police Station,
Shiv Mandir Rd Block D, Swaroop Nagar,
Bhaslwa, New Delhi - 110 042,
(Crime No.268 of 2016).

... Respondents/Complainants

For Petitioner : M/s. N. Mohideen Basha,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

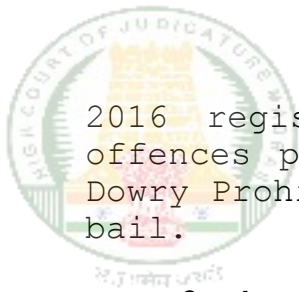
to grant inter State Anticipatory Bail for a period of 8 weeks in event of her arrest by the 2nd respondent through the 1st respondent in connection with a complaint pending on the file of the 2nd respondent and thereby the petitioner can approach the appropriate Court to seek remedy.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is shown as an accused in Crime No. 268 of

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



2016 registered on the file of the second respondent for the offences punishable under sections 498(A) of IPC r/w Section 4 of Dowry Prohibition Act. The petitioner seeks interstate anticipatory bail.

3.The learned Government Advocate (Crl.side), while assisting the Court, submitted that the Hon'ble Supreme Court had taken the view that there is no provision for grant of interstate anticipatory bail in S.L.P.No.4829 of 2013.

4. The said case has since been charge sheeted and taken on file as C.C.No.1819 of 2018. It appears that non bailable warrant has been issued against the petitioner. The next hearing date is 14.01.2020.

5.The petitioner's counsel states that the petitioner will appear before the jurisdictional Court and apply for recall of warrant. The petitioner seeks interim protection in the mean while. Non bailable warrant is to be enforced only by the first respondent herein and all that the petitioner seeks is grant of interim protection till then.

6.The petitioner's counsel would also point out that in a number of similar cases, this Court has granted relief. He drew my attention to the decision reported in
(2014) 4 MLJ (Crl) 438 (S.Siva Vs. Inspector of Police).

7.In these circumstances, it is ordered as under:-

(I) Interim anticipatory bail is granted to the petitioner.

(II) The petitioner shall surrender before the Judicial Magistrate No.6, Madurai and execute a bond of Rs.10,000/- (Rupees Ten Thousands Only) with two sureties, who shall execute a bond for a likesum to the satisfaction of the said Magistrate and on such surrender, he shall be released on bail.

(III) The petitioner shall appear before the Jurisdictional Court at New Delhi on 14.01.2020 and seek appropriate relief.

8.This criminal original petition is ordered accordingly.

sd/-
20/12/2019

/ TRUE COPY /

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



1. THE JUDICIAL MAGISTRATE No.6, MADURAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.
4. THE INSPECTOR OF POLICE,
SWAROOP NAGAR POLICE STATION,
SHIV MANDIR RD BLOCK D, SWAROOP NAGAR,
BHASLWA, NEW DELHI - 110 042
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.MOHIDEEN BASHA, Advocate (SR-22499[I] dated
26/12/2019)

ORDER
IN
CRL OP(MD) No.19420 of 2019
Date :20/12/2019

RMI
TE/PN/SAR-II : 30/12/2019 : 3P/7C