



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2020

WEB COPY

PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5594 of 2020

M.Venkatesh ... Petitioner/Sole Accused

Vs

State represented by,

1. The Inspector of Police,
Palayankottai All Women Police Station,
Tirunelveli District.
Crime No.10 of 2020.

2. The Inspector of Police,
Madurai South All Women Police Station,
Madurai District.

... Respondents/Complainants

For Petitioner : M/s G.Karupasamy Pandian
for Mr.K.Manavalan,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Criminal Side)

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

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest by respondents concerned in Cr.No.10 of 2020 on the file of the 1st respondent pending investigation.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 498(A), 506(i) of I.P.C. and Section 4 of Dowry Prohibition Act 1961, in Crime No.10 of 2020, on the file of the respondent police, seeks anticipatory bail.



3. The learned Government Advocate (Criminal side) appearing for the State submits that the case has been transferred to Madurai South Police Station for investigation.

4. Since the matter between the husband and wife, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 No.I, Tirunelveli on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 said Magistrate, on further condition that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court 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 as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

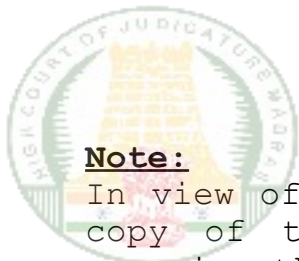
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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 229A IPC.

sd/-
02/06/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO I,
TIRUNELVELI.
2. DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
PALAYANKOTTAI ALL WOMEN POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE INSPECTOR OF POLICE,
MADURAI SOUTH ALL WOMEN POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.5594 of 2020

Date :02/06/2020

SJI

SRS/ JC/ SAR-III/ 03.06.2020/ 3P/6C