



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

Date : 01/07/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP(MD) . No.6698 of 2020

Senthilkumar

... Petitioner/Accused No.1

Vs

State rep by
The Inspector of Police,
All Women Police Station, Valliyoor,
Thirunelveli District.
(Crime No.13/2019).

... Respondent/Complainant

For Petitioner : M/s.J.Sivaram,
Advocate.

For Respondent : Mr.S..Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 13/2019 on the file of the
Respondent police.

ORDER : The Court made the following order :-

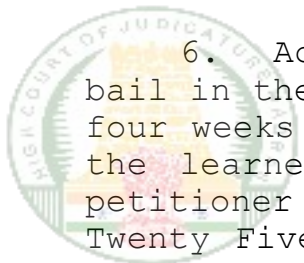
The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 498(A),
406, 294(b), 506(i) of IPC and Section 4 of D.P.Act seeks
anticipatory bail.

2. Due to matrimonial dispute between the defacto complainant
and her husband complaint has been alleged for dowry harassment
against this petitioner and the family members of the petitioner
herein.

3. Reading of the First Information Report indicates that due
to high demand of dowry the petitioner and defacto complainant were
separated . When the defacto complainant and her father went to the
house of the petitioner he has abused the defacto complainant and
driven them out of the house.

4. Being a matrimonial dispute if the matter is referred to
mediation there is possibility to settle the issue.

5. Taking note of the facts and circumstances of the case and
also taking note of the submission made this Court is inclined to
grant anticipatory bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri 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 petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or bank pass book to ensure their identity.

[b] the petitioner shall co-operate for investigation shall take any measure to settle the issue amicably through trained mediators and he 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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
01.07.2020

/ TRUE COPY /

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

AAV

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, Nanguneri.
2. -Do-Through The Chief Judicial Magistrate,
Tirunelveli District.
3. The Inspector of Police,
All Women Police Station, Valliyoor,
Thirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.6698 of 2020
Date : 01/07/2020

VB SKN SAR 2 (02.07.2020) 3P 5C