



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

Date : 15/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11409 of 2020

S.Sundara Pandian

... Petitioner/Accused No.1

Vs

The Sub-Inspector of Police,
All Women Police Station
Samayanallur,
Madurai District.
(Cr. No. 21 of 2019)

... Respondent/Complainant

For Petitioner : M/s.N.Saravanan,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.21 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

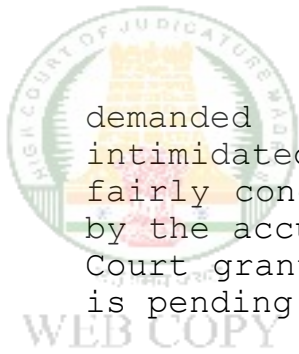
The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A, 294 (b), 506 (i) of IPC and Section 4 of Women Harassment Act, in Crime No.21 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons demanded dowry from the defacto complainant and harassed her on the instigation of the other accused persons.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent person and he has been falsely implicated in this case and therefore, he prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) appearing for the respondent has submitted that the petitioner along with other accused persons, who are in-laws of the defacto complainant,

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



demanding dowry from the defacto complainant and criminally intimidated her. Hence, she opposed this petition. However, she fairly conceded that an earlier anticipatory bail application filed by the accused in CrI.OP(MD)No.10825 of 2019, dated 14.10.2020, this Court granted anticipatory bail to the in-laws and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Vadipatti, Madurai District, 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 fail 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 four 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.

sd/-

15/10/2020

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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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE, VADIPATTI,
MADURAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUB-INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SAMAYANALLUR,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.SARAVANAN, Advocate (SR-7063[I] dated 16/10/2020)

ORDER

IN

CRL OP(MD) No.11409 of 2020

Date :15/10/2020

MS/PN/SAR-3/22.10.2020/3P.6C