



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

Date : 02/12/2020

PRESENT

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

CRL OP(MD). No.13817 of 2020

Ravichandiran

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Manapparai, Trichy District.
Crime No.28 of 2020.

... Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

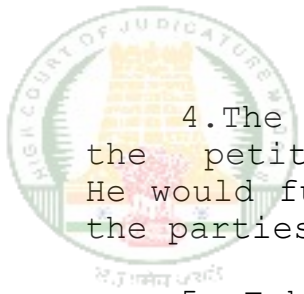
For Bail in Crime No.28 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/ A1 herein was arrested and remanded to judicial custody on 28.10.2020 for the alleged offence under Sections 294(b), 494, 498(A), 354, 506(i) of IPC and Section 4 of Dowry Prohibition Act, in crime no.28 of 2020, seeks bail.

2. The case of the prosecution is that the petitioner is the husband of the defacto complainant. The petitioner and his family members demanded huge dowry and harassed the defacto complainant and she left from her matrimonial home. Thereafter, the petitioner try to marry the second accused for second marriage. Hence, the complaint.

3. The learned counsel for the petitioner would submit that due to matrimonial dispute between them, the petitioner and the defacto complainant are living separately and he has not demanded any dowry from her. He would further submit that the defacto complainant left her matrimonial home without informing the same to the petitioner. He would also submit that the petitioner is in jail for more than 30 days, hence he may be granted bail.



4.The learned Government Advocate(Crl.Side) would submit that the petitioner demanded huge dowry from the defacto complainant. He would further submit that matrimonial dispute is pending between the parties.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate, Manapparai, Trichy District.

i)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.

ii) the petitioner shall report before the respondent police, daily at 10.30 a.m.,for a period of two weeks and thereafter as and when required for interrogation.

(iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
02/12/2020

/ 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



TO

1. THE JUDICIAL MAGISTRATE,
MANAPPARAI, TRICHY DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAPPARAI, TRICHY DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13817 of 2020
Date : 02/12/2020

KSA
TK/PN/SAR.3/02.12.2020/3P/6C