



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12249 of 2023

Manikandan S.

... Petitioner / Accused No.1

Vs

1.The State represented by
The Inspector of Police,
All Women Police Station,
Madurai City, Madurai – 625 020.

2.S.Priya Vinodhini

... Respondent/Complainant

For Petitioner : M/s.A.M.D.Mohamed Salih Hussain,
Advocate

For Respondent No.1 : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

For Respondent No.2 : No appearance

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

PRAYER :-

For Anticipatory Bail in Crime No.40 of 2018 on the file of the Respondent Police.



ORDER: The Court made the following order :-

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The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(a) and 506(1) of IPC in Crime No.40 of 2018, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute, the defacto complainant and the petitioner herein are living separately. Due to the dispute the petitioner's family members are demanding more dowry from the defacto complainant whenever the defacto complainant questions the act of the petitioner, the accused persons abused the defacto complainant in filthy language. Hence the complaint.

3. Eventhough the second respondent has been served none appeared for the second respondent.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case.

5. The learned Government Advocate (crl.side) would submit that final report was also filed as early as on 10.01.2020 in e-filing No.3079 of 2020. But so far, it has not been taken cognizance. He further submitted that the defacto complainant married to some other man and went to abroad and now residing there. So the notice



that was issued to the second respondent could not be served.

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6. Considering the facts and circumstances of this case and in view of the further developments, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Additional Mahila Court at Madurai, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

31/07/2023

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/08/2023

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



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- 1 THE JUDGE,
ADDITIONAL MAHILA, MADURAI.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TALLAKULAM,
MADURAI CITY, MADURAI 625020.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.A.M.D.MOHAMED SALIH HUSSAIN, Advocate (SR-11529[I] dated 31/07/2023)

ORDER
IN
CRL OP(MD) No.12249 of 2023
Date :31/07/2023

SS/BUC/11/08/2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023