

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

**Present: Tmt. G. VIJAYA, B.A., M.L., PGDCFS,
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE.**

Monday, this the 15th day of July, 2024

CRIMINAL MISCELLANEOUS PETITION No.2764/2024

A. Shabeer (Age 36 years),
S/o. M. Ahamed Kabeer

... Petitioner / Accused

/ vs /

State, Rep. by
through the Inspector of Police,
AWPS, Podanur.

Crime No. Not Known

Offence: u/s. 498A, 506(ii), 294(b) of IPC.

Through the Public Prosecutor, Coimbatore. ... Respondent / Complainant
(The District Munsif - Cum- Judicial Magistrate, Madukkarai)

This petition has been filed through **e-Filing** on behalf of the petitioner to release him on anticipatory bail u/s.438 of Cr.P.C.

This petition is coming on this day for final hearing before this Court in the presence of **Thiru.R.Rajeshkannan**, Advocate for the Petitioner / Accused **[appeared through virtual mode]** and of **Thiru.V.Ravichandran, Public Prosecutor**, represented for State, upon perusing the petition submitted and upon hearing both side arguments, this Court pronounced the following:-

ORDER

Heard both side.

The Petitioner seeks anticipatory bail for the alleged offence u/s.498A, 506(ii), 294(b) of IPC.

2. Already this Court granted interim anticipatory bail to the petitioner.

3. The learned counsel for the petitioner **appeared before this Court through virtual mode** and submitted that as ordered by this Court, the petitioner surrendered before the learned District Munsif-cum-Judicial Magistrate,

Madukkarai and produced sureties and complied the conditions. The learned counsel has further submitted that the gold jewels are not in the custody of the petitioner as alleged by the defacto complainant and gold jewels were kept safely in a locker in the petitioner's house and key is under the custody of the defacto complainant. Though the petitioner is ready to co-operate with the investigation agency to open the said locker, the defacto complainant has not come forward to settle the issue. The defacto complainant had filed divorce case against the petitioner. The petitioner is ready to co-operate with the investigation agency and prays to make absolute the interim anticipatory bail.

4. The learned Public Prosecutor submitted that there had been some matrimonial dispute between the defacot complainant and the petitioner. Though the petitioner promised to return 22 sovereigns of gold jewels to the defacto complainant, he did not do so and instead of the same, the petitioner used obscene words and criminally intimidated her. Hence, she lodged the present complaint.

5. After considering all the above said aspects, considering the nature of offence, having regard to the relationship between the parties, nature of dispute, considering the facts and circumstances of the case, this Court is of the view that the interim anticipatory bail granted to the petitioner is hereby made absolute. The sureties produced by the petitioner at the time of granting interim anticipatory bail shall operate to this petition also and the petitioner need not produce any fresh sureties and the petition is allowed.

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 15th day of July, 2024.

PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.

CC to (sent via email):

1. The District Munsif - Cum- Judicial Magistrate, Madukkarai.
2. The Public Prosecutor, Coimbatore.
3. The Inspector of Police, AWPS, Podanur.
4. Counsel for the Petitioner / Accused.