



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

Wednesday, the Twenty Fourth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10270 of 2015

1 DR.V.DUR AISAMY

2 D.SAROJA

... PETITIONER(S) / ACCUSED 2 & 3

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIRENGAM, TRICHY.
CR.No. 12 of 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.JANAKIRAMULU Advocate

For Respondent : M/S.P.KANNAI THEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A2 and A3 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294 (b), 506(1) IPC and Section 4 of Dowry Prohibition Act in Crime No.12 of 2015 and hence, seek anticipatory bail.

2.The case of the prosecution is that the first accused married the defacto complainant in the year 2007 and thereafter, the first accused had failed to take her to Mauritius and she is living separately and the accused 2 and 3 are harassing the defacto complainant and they are not providing communication address of the first accused.

3.The learned counsel for the petitioners submitted that the marriage between the first accused and the defacto complainant was performed on 24.08.2007 and after birth of the child, the defacto complainant did not return to the matrimonial home and she is living happily with her parents at Dindigul. It is further submitted that the petitioners and the first accused are having no contact at all and in the year 2012, the entire articles were taken back by the defacto complainant and an agreement was also recorded on 19.01.2012.

4. The learned counsel for the intervenor vehemently opposed this petition stating that the defacto complainant was cheated by the first accused and she is living separately with her child which causes humiliation and mental agony to her. It is further submitted that when the first accused was working in Mauritius, she is under the care and custody of the petitioners on the hope that she would be joining with her husband at Mauritius but the accused 2 and 3 are not helping her.



5. Heard the learned Government Advocate(Crl.side) appearing for the State.

6. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Trichy, and on each of them executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction to the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioners 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/-
24/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, TRICHY.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE , TRICHY.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SRIRENGAM, TRICHY.

+1. CC to M/S.V.JANAKIRAMULU Advocate SR.No. 33391.

TS/25.06.2015/2P -6C

ORDER
IN
CRL OP(MD) No.10270 of 2015
Date :24/06/2015