



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

Thursday, the Third day of December Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.12694 of 2015

1 SUMAN
2 SUNDARA BAI
3 SUNI
4 THANGAIYAN

... PETITIONERS/ACCUSED NOS.1 TO 4

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MARTHANDAM,
KANYAKUMARI DISTRICT.
(CRIME NO.19 OF 2015)

... RESPONDENT/ COMPLAINANT

R.ANUSHA

... PETITIONER/INTERVENER

For Petitioner : M/S.S.PALANIVELAYUTHAM Advocate
For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)
For Intervener : MR.S.C.HEROLD SINGH Advocate

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

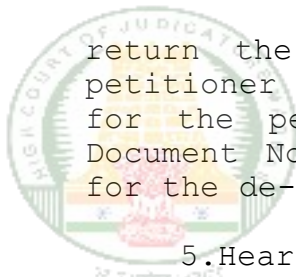
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused in Crime No.19 of 2015 on the file of the respondent police apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498-A, 406, 294(b) and 506(i) of I.P.C., and Sections 3, 4 and 6 of Dowry Prohibition Act, and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the de-facto complainant was solemnized on 21.06.2011 and they got a female child in the wedlock. After the marriage the petitioners demanded dowry and tortured the de-facto complainant and also threatened her.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and to wreck vengeance against the petitioners, they have been falsely implicated . He further submitted that due to the dispute between the first petitioner and the de-facto complainant, the de-facto complainant left the matrimonial home on her own volition and the petitioners 2 to 4 do not have any role in the dispute between the first petitioner and the de-facto complainant.

4.As per the order of this Court on 02.12.2015, the first petitioner and the de-facto complainant were present before this Court. The de-facto complainant demanded return of settlement deed executed by her father in her favour. The de-facto complainant admitted that she received all the household articles from the first petitioner and agreed to



return the document executed by the first petitioner, on the first petitioner returning jewels belonging to her. Today, the learned counsel for the petitioner handed over the original settlement deed bearing Document No.2569 of 2013 executed on 06.11.2013 to the learned counsel for the de-facto complainant and he received the same.

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

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Padmanabapuram, Kanyakumari District and on each of them 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 learned Magistrate concerned and on further condition that the first petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation and the petitioner Nos.2 to 4 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.

8. 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/-
03/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PADMANABAPURAM, KANYAKUMARI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MARTHANDAM, KANYAKUMARI DIST.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.PALANIVELAYUTHAM Advocate SR.No.69153

ORDER
IN
CRL OP(MD) No.12694 of 2015
Date : 03/12/2015

GJM/PM/MP/SAR-II-9.12.2015-2P-6C