



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

Tuesday, the Twenty Second day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.13720 of 2015

1 B.T. SENTHILKUMAR
2 T. GNANAOLIVU
3 M. BANUSHREE
4 K. MURUGESAPANDIAN ... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MADURAI CITY,
CRIME NO.13 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.KRISHNAVENI Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

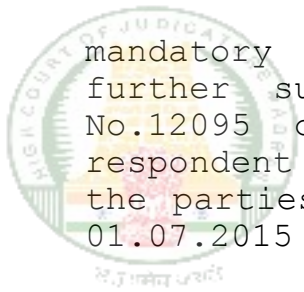
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498A, 406 and 506(i) of I.P.C., in Crime No.13 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The prosecution case is that the first petitioner married the de-facto complainant on 18.05.2012 and during the wedlock, a daughter was born to them in the year 2013 and thereafter, the accused were torturing and harassing the de-facto complainant demanding more dowry. It is the further case of the prosecution that the accused have with hold 95 sovereign of gold jewels and other valuable articles and thereby committed misappropriation.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and it is further submitted that due to matrimonial dispute, the first petitioner has filed H.M.O.P.No.306 of 2015 before the Family Court against the de-facto complainant seeking divorce and after receipt of the notice in the H.M.O.P petition, the de-facto complainant has filed a case before the Family Court, Madurai for restitution of conjugal rights and it is further submitted that the first petitioner has also instituted a suit in O.S.No.59 of 2015 on the file of the Family Court seeking for



mandatory injunction against the de-facto complainant and it is further submitted that the petitioner has filed CrI.O.P.(MD). No.12095 of 2015 before this Court seeking direction to the respondent police not to interfere with the civil dispute between the parties and this Court has ordered notice to the respondent on 01.07.2015 and also granted interim order.

4.Per contra, the learned counsel for the intervenor vehemently opposed for granting of anticipatory bail to the petitioners contending that there is no dispute between the husband and wife, however, at the instigation of the other accused, the de-facto complainant was harassed by the first petitioner and the de-facto complainant has also filed a case before the Family Court for restitution of conjugal rights and she is ready for reunion with her husband and it is further submitted that the fourth accused, who is working as a Bank Manager in TMB has retained the jewels of the de-facto complainant.

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

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 No.I, Madurai 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., until further orders and the fourth petitioner shall appear before the respondent police at 10.00 a.m., on every Saturdays and Sundays for a period of three weeks and the petitioners 2 and 3 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.

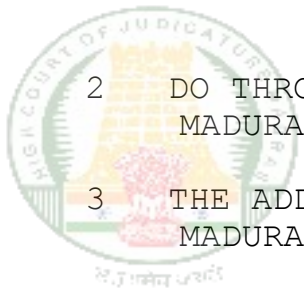
8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/09/2015

/ TRUE COPY /

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

TO
<https://hcservices.ecourts.gov.in/hcservices/>
THE JUDICIAL MAGISTRATE NO.I,
MADURAI.



2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

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

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MADURAI CITY.

+1. CC to M/S.P.KRISHNAVENI Advocate SR.No.55741

ORDER
IN
CRL OP (MD) No.13720 of 2015
Date :22/09/2015

rg.25.09.2015/SK/SKN/SAR-II 3P/6C