



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

Wednesday, the Second day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.15475 and 15721 of 2015

VIJAYA MUNIAPPAN

... PETITIONER/ACCUSED
IN CRL OP(MD) No.15475/15

1. G.VELUSAMY
2. V.MUNIYAMMAL

... PETITIONERS/ACCUSED NO.2&3
IN CRL OP(MD) No.15721/15

Vs

1. THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VIRUDHUNAGAR,
(CRIME NO. NOT KNOWN/2015) IN
(CRL OP(MD) No.15475/15)
(CRIME NO.23/2015) IN
(CRL OP(MD) No.15721/15)

...1ST RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

2. PANDI SELVI
(R2 implied as per the order of this
Hon'ble court dated 2.12.15 and made in
MP(MD)NO.1/15 IN Crl.O.P.(MD)No.15475/15)... 2ND RESPONDENT/DEFACTO
COMPLAINANT
IN CRL OP(MD) No.15475/15

FOR PETITIONER : M/S N.MOHIDEEN BASHA ADVOCATE
IN BOTH THE PETITIONS

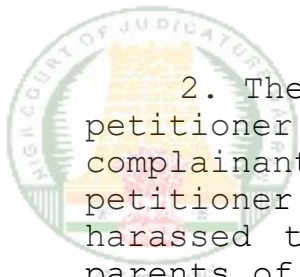
FOR RESPONDENT : MR.K.ANBARASAN, GOVERNMENT ADVOCATE (CRL. SIDE)
IN BOTH THE PETITIONS

FOR INTERVENOR : MR.KARUPPASAMY PANDIAN, ADVOCATE

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

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P.(MD)No.15475 of 2015, who is arrayed as accused No.1 and the petitioner in Crl.O.P.(MD)No.15721 of 2015, who are arrayed as Accused Nos.2 and 3, in Crime No.23 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 I.P.C. And Section 4 of Dowry Prohibition Act and Section 3(1) of Tamil Nadu Prohibition of Women Harassment Act and hence, seek anticipatory bail.



2. The case of the prosecution is that the marriage between the petitioner in CrI.O.P.(MD)No.15475 of 2015 and the defacto complainant was solemnised on 26.02.2006. After the marriage, the petitioner in CrI.O.P.(MD)No.15475 of 2015 used to take alcohol and harassed the defacto complainant. At the time of marriage, the parents of the defacto complainant gave 20 Sovereigns of gold jewels and Seethana articles worth about Rupees Two Lakhs. On various dates, the parents of the defacto complainant gave money to the petitioner in CrI.O.P.(MD)No.15475 of 2015. The petitioners in CrI.O.P.(MD)No.15721 of 2015 also demanded more dowry from the defacto complainant to start a business in the name of the petitioner and hence, a case has been registered.

3. Mr.Karuppasamy Pandian, learned Counsel for the intervenor submitted that the defacto complainant is willing to join with the petitioner in CrI.O.P.(MD)No.15475 of 2015 and since the petitioner in CrI.O.P.(MD)No.15475 of 2015 is not having any job and he tortured the defacto complainant, she left the matrimonial house.

4. The learned Government Advocate (CrI.side) submitted that the petitioners in both the petitions demanded more dowry from the defacto complainant and tortured her.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. 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.II, Virudhunagar 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 petitioner in CrI.O.P.(MD)No.15475 of 2015 shall appear before the respondent police daily at 10.00 a.m. until further orders and the petitioners in CrI.O.P.(MD)No.15721 of 2015 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.

6.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/-
02/12/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)



TO

1. THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR.

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VIRUDHUNAGAR,

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S N.MOHIDEEN BASHA Advocate SR.No. 68980

ORDER
IN
CRL OP (MD) No.15475 and
15721 of 2015
Date :02/12/2015

SSL

TE/SK-SKN/SAR-II : 08/12/2015 : 3P/6C