



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

Wednesday, the Eighteenth day of March Two Thousand Fifteen
PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH
CRL OP(MD) No.1561 of 2015

1 SURESH
2 LAKSHMI
3 MURUGAN

... PETITIONERS/ACCUSED NO.1 TO 3

B.DANIYA

... INTERVENOR

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NILAKOTTAI,
DINDIGUL DISTRICT.

CR. NO. NOT KNOWN OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.AJU TAGORE Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.G.MARIMUTHU, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 506 (i) I.P.C r/w Section 4 of Dowry Prohibition Act in Crime No.3 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners, the learned counsel for the defacto complainant and the learned Government Advocate(Crl. Side) for the State.

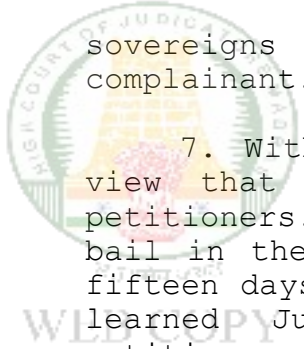
3. Initially, this petition was filed showing the crime number as 'not known'. Hence, this Court on 13.02.2015 had granted interim anticipatory bail to the petitioners with a direction to the petitioners 1 and 3 to appear before the respondent police daily at 10.30 a.m., for a period of two weeks. Interim anticipatory bail granted was extended from time to time and ultimately, on 12.03.2015, this Court directed the petitioners to return all the Sridhana articles to the defacto complainant and report to this Court today.

4. Today the respondent police is present and the learned counsel for the intervenor is also present.

5. The learned Government Advocate(Crl. Side) on instructions from the respondent police submits that the petitioners have handed over all the household articles through the police to the defacto complainant on 14.03.2015. This fact is admitted by the learned counsel for the intervenor also. But, he strongly objects to the grant of anticipatory bail to the petitioners on the ground that the petitioners should have to give six sovereigns of gold.

<https://hcservices.ecourts.gov.in/hcservices/>

6. The learned counsel for the petitioners submits that the petitioners have handed over whatever available with them and six



sovereigns of gold is not available with them, but with the defacto complainant.

7. Without going into the rival contentions, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakottai, on condition that the petitioners shall execute 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 of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
18/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NILAKOTTAI, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.AJU TAGORE Advocate SR.No. 12866
+1cc to MR.G.MARIMUTHU, ADVOCATE IN SR : 12879

SR : 19.03.2015 : 2P/7C

ORDER
IN
CRL OP(MD) No.1561 of 2015
Date :18/03/2015