



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Thursday, the Eighth day of January Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.172 of 2015

1 G.ELANGO  
2 M.GUNASEKARAN  
3 DEVAKIRUBAI  
4 CHITRA

..PETITIONERS/ACCUSED  
(RANK NOT KNOWN)

Vs.

STATE REP.BY THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
DINDIGUL DISTRICT.  
CR. NO. NOT KNOWN OF 2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.SARAVANAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for offences under Sections 498(A) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

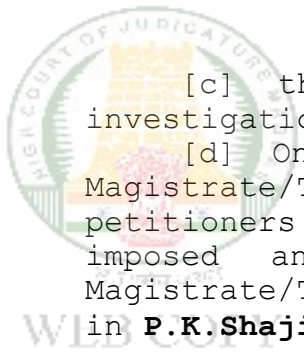
2. It is the case of the prosecution that no regular case has been registered and only petition enquiry is pending. On a reading of the petition given by the de-facto complainant, it appears that the de-facto complainant got married to the first petitioner on 03.03.2014 and within a short time of marriage, their matrimonial life had got into rough weather. The de-facto complainant has alleged that the petitioners have been demanding Rs.2 lakhs and dowry from her.

3. The learned counsel for the petitioners submits that the first petitioner has filed divorce proceedings in HMOP No.125 of 2014. Be that as it may, the allegations against the first petitioner in the complaint are indeed very serious and therefore, this Court is not inclined to grant anticipatory bail to the first petitioner. As regards other petitioners, they are relatives only and therefore, relying upon the Judgment of the Hon'ble Supreme Court in **Arnesh Kumar Vs.State of Bihar** reported in **2014 (8) Scale 250**, this Court is inclined to grant Anticipatory Bail to the petitioners 2 to 4 herein.

4. Accordingly, the petitioners 2 and 4 are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate, II, Dindigul, on their 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 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 2 to 4 shall report before the respondent police as and when required for interrogation.

<https://hcservices.courts.gov.in/hcservices>  
(b) the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial.



[c] the petitioners 2 to 4 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 petitioners 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 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/-  
08/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

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

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

+1. CC to M/S.A.SARAVANAN Advocate SR.No.721

ORDER IN  
CRL OP(MD) No.172 of 2015  
Date :08/01/2015

PBK 13/01/2015 ::2P-6C: