



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of November Two Thousand Fifteen

PRESENT

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

CRL OP (MD) No.17222 of 2015

M.K.YASAR ARAFATH

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
THALLAKULAM ALL WOMEN POLICE STATION,
MADURAI.

(IN CRIME NO.36/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S S.M.A JINNAH Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 of IPC and Section 4 & 5 of Dowry Prohibition Act, in Crime No.36 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

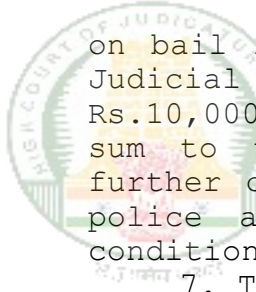
2.The case of the prosecution is that the marriage between the petitioner's brother Riyasutheen and the defacto complainant was solemnized on 08.09.2013 and at the time of marriage, the defacto complainant's family gave 30 sovereign of gold jewels and household articles. After the marriage, the petitioner and his family members demanded more dowry and harassed the defacto complainant, by demanding more dowry. On 19.07.2015 the petitioner and his family members went to the defacto complainant's house and tried to assault the defacto complainant and abused the defacto complainant with filthy language and obtained signature in blank papers and threatened the defacto complainant with dire consequences.

3.The case of the petitioner is that he is an innocent person and his name has been falsely implicated in this case. The petitioner's brother is working in Abuthabi. From the beginning of marriage, the defacto complainant forced the petitioner's brother to live separately and tortured him. He gave a complaint to the Jamath. Subsequently, the defacto complainant started living separately and did not change her behaviour and on the instigation of her family members, she has given the false complaint.

4.Heard the learned Government Advocate (Crl.side) appearing for the respondent.

5.The learned counsel for the petitioner submitted that the co-accused were granted anticipatory bail, by this Court, in Crl.O.P(MD) No.16505 of 2015, dated 04.11.2015.

6.Considering the facts and circumstances of the case and also considering the fact that the co-accused were granted anticipatory bail by this Court in Crl.O.P(MD) No.16505 of 2015, dated 04.11.2015, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released



on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Madurai and on 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 shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-

26/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

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

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

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

+1. CC to M/S S.M.A JINNAH Advocate SR.No.67608

ORDER IN

CRL OP(MD) No.17222 of 2015

Date :26/11/2015

PBK/GSV-PM/SAR-I 27/11/2015 ::2P-6C::