



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

Monday, the Tenth day of August Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.17494 of 2014

1 C.PRABHAKARAN
2 CHINNATHAMBI
3 MAHESWARI
4 G.SRIDHAR
5 C.VASUGI

.. PETITIONERS/ACCUSED (RANK NOT KNOWN)

Vs

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, DINDIGUL DISTRICT.
CR. NO. NOT KNOWN OF 2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. V. ILLANCHEZIAN Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

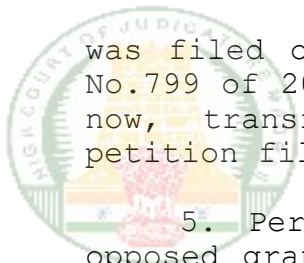
ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A), 506(i) of IPC and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.16 of 2015, on the file of the respondent police, seek anticipatory bail.

2. The petitioners were granted interim anticipatory bail by this Court, on 18.09.2014, and the matter was referred to mediation and Conciliation Centre attached to this Court for exploring possibility of settlement.

3. The learned Government Advocate (Crl. Side) submitted that the respondent has now registered a case against the petitioners 1 to 3 and 5, in Crime No.16 of 2015 for the offences under Sections 498(A), 506(i) of IPC and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Women Harassment Act and the fourth respondent is not accused in this Crime Number.

4. The learned counsel for the petitioners submitted that the marriage between the first accused and de facto complainant was solemnised on 08.09.2011 and both were working at Chennai and in the month of February 2014, A1 lost his employment and thereafter, misunderstanding arose between the husband and wife. He further contended that on 13.02.2013, the first accused got employment in the State of Uttarpradesh and requested the de facto complainant to accompany him, which was refused by the de facto complainant and the present complaint



was filed on 19.08.2014 and that the first accused has also filed HMOP No.799 of 2014, before the Sub Court, Trichy for divorce and the petition now, transferred to Family Court, Chennai, along with restitution petition filed by the de facto complainant.

5. Per contra, the learned counsel for the intervenor vehemently opposed granting of anticipatory bail to the accused, contending that at the time of marriage 53 sovereigns of jewels was given to the first accused and subsequently, the accused harassed the de facto complainant demanding 40 sovereigns of the gold and the accused have also planned for second marriage for the first accused. Once the accused have granted anticipatory bail, the first accused may go to abroad and contract second marriage.

6. Considering the rival submissions made by the learned counsel for the petitioners as well as the learned counsel for the intervenor, the interim anticipatory bail granted to the petitioners is made absolute. The petitioner need not execute any fresh sureties, as the sureties already executed for the purpose of availing interim anticipatory bail shall hold good. However, the petitioners have to appear before the respondent police as and when required for interrogation. It is made clear that the first accused shall not leave India without prior permission of this Court.

7. Since the 4th petitioner is not an accused in this Crime number, the Criminal Original Petition is dismissed against 4th petitioner.

sd/-
10/08/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,DINDIGUL.

2. THE CHIEF JUDICIAL MAGISTRATE,DINDIGUL.

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

4. THE CO-ORDINATOR, MEDIATION
AND CONCILIATION CENTRE, MADURAI BENCH OF
MADRAS HIGH COURT, MADURAI.

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

+1. CC to M/S. V. ILLANCHEZIAN Advocate SR.No.45006

+1CC to M/S.L.SHAJI CHELLAN Advocate SR.No.45716

ORDER
IN
CRL OP(MD) No.17494 of 2014
Date :10/08/2015