



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

Monday, the Sixteenth day of February Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.17531 of 2014

WEB COPY

ANTO

..PETITIONER/ACCUSED No.1

T.SUNITHA

..INTERVENOR

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KUZHITHURAI,
KANYAKUMARI DISTRICT.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.K.M.APPAJI Advocate
For Respondent : Govt. Advocate (Crl. Side)
For Intervenor : Mr.M.SARAVANAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) I.P.C. and Sections 3 and 4 of Dowry Prohibition Act in Crime No. not known of 2014 on the file of the respondent police, seek anticipatory bail.

2. Earlier the matter was referred to the Mediation and Conciliation centre attached to this Bench and failure report dated 08.01.2015 has been received from the Mediation and Conciliation centre.

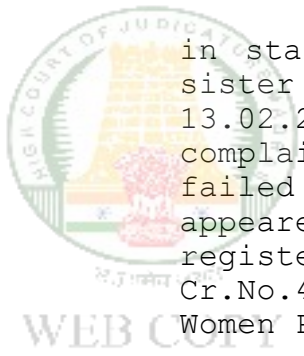
3. Earlier this Court has granted interim anticipatory bail to the petitioner on 02.02.2015 with a direction to the petitioner to appear before the respondent police everyday at 10.30a.m. and also return a sum of Rs.One Lakh to the defacto complainant through the respondent police.

4. Heard the learned Counsel for the petitioner, the learned Government Advocate (Crl.Side) and the learned Counsel for the intervenor.

5. Today, the respondent police is present and they have filed a status report and in paragraph Nos.4 and 5 they have stated as follows:

"4. It is humbly submitted that this Hon'ble Court directed the petitioner to return Rs.1,00,000/- to the defacto complainant through this respondent. This Hon'ble Court further directed the petitioner to report before this respondent daily at 10.30a.m for a period of two weeks. But the petitioner neither paid the amount to the defacto complainant nor appeared before this respondent as directed by this Hon'ble Court.

5. It is humbly submitted that this respondent served a notice on the petitioner asking him to appear before this respondent and to pay Rs.1,00,000/- to the defacto complainant as directed by this Hon'ble Court. But the petitioner was not



in station. So this respondent served the notice through his sister Jaya. The petitioner appeared before this respondent on 13.02.2014 and promised to pay the amount to the defacto complainant on the next day i.e. 14.02.2014. But the petitioner failed to pay the amount to the defacto complainant. He never appeared before this respondent also. So this respondent registered a case against the petitioner and 6 others as in Cr.No.4 of 2015 u/s 406 and 498(A) I.P.C. on the file of All Women Police Station, Kuzhithurai."

6. The learned Counsel for the petitioner submits that the petitioner needs four weeks time for repaying the sum of Rs.One Lakh.

7. In view of the nature of allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

16/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, KUZHITHURAI, KANYAKUMARI DISTRICT.

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

+1. CC to M/S.C.K.M.APPAJI Advocate SR.No.7064

+1CC to M/s.M.SARAVANAN, Advocate in SR.7070

ORDER IN

CRL OP(MD) No.17531 of 2014

Date :16/02/2015

PBK 19/02/2015 ::2P-5C: