



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

Wednesday, the Twenty Ninth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17675 of 2014

1 PALANICHAMY

2 RAMUTHAI

... PETITIONERS/ACCUSED NOS.2&3

Vs

STATE REPRESENTED BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, THIRUPATHUR,

SIVAGANGAI DISTRICT

(CRIME NO.5/2014)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.KARTHIK Advocate

For Respondent : Govt. Advocate (Crl. Side)

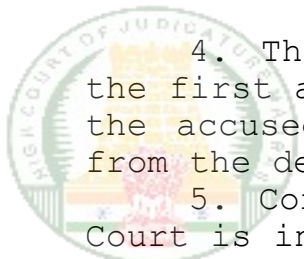
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 and 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 376, 120(b) and 420 I.P.C. and Section 4 of Dowry Prohibition Act in Crime No.5 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, the first accused by giving false promise, committed rape on her and thereafter, the accused Nos.2 to 5 have demanded Rs.2 lakhs from the de-facto complainant.

3. The learned counsel for the petitioners submitted that the first accused and the de-facto complainant fell in love with each other and they have already got married and they were living together as husband and wife away from the family members and thereafter, due to misunderstanding, now they are live apart and a false complaint was given. It is further submitted that the accused 4 and 5, who are sister and brother-in-law of the first accused were already arrested and released on bail by the Judicial Magistrate, Thirupathur on 08.07.2014.



4. The learned Government Advocate (Crl.side) submitted that the first accused has committed rape on the de-facto complainant and the accused 2 and 3 / petitioners are his parents demanded dowry from the de-facto complainant.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Thirupathur and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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/-
29/07/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUPATHUR
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPATHUR, SIVAGANGAI DISTRICT.

+1. CC to M/S.S.KARTHIK Advocate SR.No.43067
RL/SJW/6 C- 4/8/2015

ORDER
IN
CRL OP(MD) No.17675 of 2014
Date :29/07/2015