



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

Thursday, the Thirteenth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.17875 of 2014

1 BALAKUMARARAJA

2 SAKILA

... PETITIONER/ACCUSED 2,4 AND 7

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, TIRUNELVELI

CRIME NO.NOT KNOWN OF 2014.

... RESPONDENTS/COMPLAINANT

For Petitioner : M/S.M.VEILKANIRAJU Advocate

For Respondent : M/S.S.PRABHA 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, 4 and 7, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 417 of the Indian Penal Code and also under Section 4 of TNPWH Act in Crime No.11 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the defacto complainant, a betrothal was conducted for the marriage of his daughter with the first petitioner/accused No.2 on 23.02.2014 and the marriage was not solemnized on 13.04.2014, as early fixed, due to demand of dowry by the accused.

3. The learned counsel for the petitioners submitted that the petitioners are falsely implicated in this case and he further submitted that the daughter of the defacto complainant was not willing to marry the first petitioner/second accused and therefore, the marriage was stopped, for which, the accused are not responsible and the defacto complainant earlier preferred similar complaint in Devarkulam Police Station and the petitioners moved Crl.O.P(MD)No.7427 of 2014 seeking anticipatory bail and that was also allowed by this Court. However, due to non-cooperation of the defacto complainant, the case was closed and thereafter, the present complaint was given on the similar allegation.

4. The learned counsel for the petitioner further submitted that as per the direction of this Court, the petitioners were regularly appearing before the Mediation and Conciliation Centre, but the defacto complainant never appeared before the Mediation Centre to settle the dispute between the parties and therefore, Mediation failed. The learned counsel for the petitioner also submitted that the first petitioner is the resident of Avinasi and the second petitioner, who is working as a Teacher, is the first petitioner and the third petitioner, who is the Assistant Engineer of Public Works Department, is the brother-in-law of the first petitioner and husband of the second petitioner and the



petitioners 2 and 3 are residing at Tirunelveli.

5. Heard the learned Government Advocate (Criminal Side) appearing for the respondent.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Tirunelveli and on each of them 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 petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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/-
13/08/2015

/ TRUE COPY /

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

TO

1. THE CO-ORDINATOR, MEDIATION
AND CONCILIATION CENTRE, MADURAI BENCH OF
MADRAS HIGH COURT, MADURAI.
2. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI
3. DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
4. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION (RURAL),
TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17875 of 2014
Date :13/08/2015

GJM/PRV/SAR-J-18.8.15-2P-6C