



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

Wednesday, the Fourteenth day of October Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18168 of 2015

1 SENTHIL NATHAN

2 SANKAN

3 AMBIKA RAJALAKSHMI

... PETITIONERS / ACCUSED No.1 to 3

Vs

THE INSEPECTOR OF POLICE

KULITHALAI ALL WOMEN POLICE STATION,

KARUR DISTRICT,

CRILME NO 12 /2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DORAISAMY Advocate

For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)

For Intervenor : Mr.R.M.Sivakumar for Mr.G.Kanthavadivelan

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

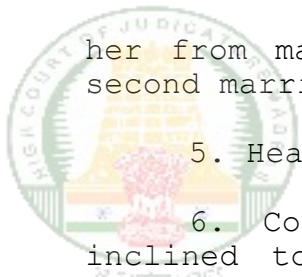
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494, 294(b) and 506(ii) of I.P.C., in Crime No.12 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant that the first accused married her on 08.02.2012 and out of wedlock, a son was born to them and when the marriage was subsisting, the first accused has married another girl viz., Janaki in the year 2013 which was also registered on 21.03.2013. When this was questioned by the de-facto complainant, the accused mentally and physically harassed her and also demanded additional dowry.

3. The learned counsel for the petitioners submitted that the entire allegations in the complaint are made only against A1 and the second and third accused, who are the parents of the first accused have been unnecessarily roped in this case.

4. Mr.R.M.Sivakumar, learned counsel for the intervenor submitted that this is a case of love marriage and after marrying the de-facto complainant, the first accused started harassing the de-facto complainant demanding addition dowry of 25 sovereigns of gold. It is further submitted that after the first accused having physical relationship with the de-facto complainant and after making her pregnant, refused to marry her. On 08.02.2012, the first accused filed a police complaint, the first accused married the de-facto complainant on 08.02.2012 and immediately after the marriage, he started harassing the de-facto complainant demanding additional dowry and sent



her from matrimonial home and thereafter, the first accused contracted second marriage and the second wife also having one child.

5. Heard the learned Government Advocate (Crl.side).

6. Considering the gravity of the offence, this Court is not inclined to grant anticipatory bail to the first petitioner and the petition is dismissed against A1. A2 and A3 are granted anticipatory bail with certain conditions. Accordingly, the petitioners 2 and 3 are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate No.II, Kulithalai 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 2 and 3 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.

7. 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/-
14/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KULITHALAI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT
- 3 THE INSEPECTOR OF POLICE
KULITHALAI ALL WOMEN POLICE STATION,
KARUR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.Kannan Advocate SR.No.61151
+1cc to M/s.R.M.Sivakumar, Advocate SR.No.61477

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ORDER
IN
CRL OP(MD) No.18168 of 2015
Date :14/10/2015