



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

Monday, the Fourteenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.18229 of 2015

1 JOSEPH KENNEDY
2 SOOSAIAMML

... PETITIONERS / ACCUSED 1 & 2

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGUDI,
PUDUKKOTTAI DISTRICT.
(CR.NO. 5/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

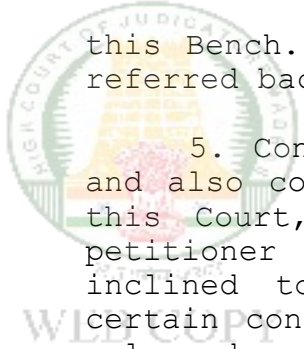
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, in Crime No.5 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 494 of IPC and Section 4 of Dowry Prohibition Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized in the year 2011. After the marriage, the petitioners demanded more dowry and harassed the defacto complainant and the first petitioner had intimacy with A-4. Therefore, on the complaint made by the defacto complainant, the present case has been registered for the offences stated supra.

3. The case of the petitioners is that they are innocent and their names have been falsely implicated due to the misunderstanding between the first petitioner and the defacto complainant, who are living separately. It is the further case of the petitioners that the first petitioner filed I.D.O.P.No.28 of 2015 on the file of the Principal District Judge, Pudukkottai, for divorce. As a counter-blast, the defacto complainant has given a false complaint against the petitioners.

4. The learned Government Advocate(Crl. Side) on instructions <https://hcservices.courts.gov.in/hcservices/> this Court vide order, dated 22.09.2015, granted anticipatory bail to the second respondent and directed the Registry to list the matter before the Mediation and Conciliation Centre, attached to



this Bench. But, mediation could not succeed and hence, the matter was referred back to this Court.

5. Considering the above said facts and circumstances of the case and also considering the fact that A-2 was granted anticipatory bail by this Court, mediation could not succeed in this case and the first petitioner filed I.D.O.P.No.28 of 2015 for divorce, this Court is inclined to grant anticipatory bail to the second petitioner, with certain conditions. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Alangudi and on his 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 second petitioner shall appear before the respondent police daily at 5.00 p.m., until further orders. The second petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The second petitioner 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/-

14/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ALANGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI.

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

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGUDI, PUDUKKOTTAI DISTRICT.

+1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.71537.

ORDER

IN

CRL OP(MD) No.18229 of 2015

Date :14/12/2015

AM/17.12.2015/NGM.SS/SAR-II/2P/6C