



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

Friday, the Twenty Fourth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18464 of 2014

1 M.JAYALAKSHMI
2 K.MALAYANDI
3 M.ANBUKKARASU
4 S.JAYANTHI
5 M.ANITHA

... PETITIONERS / ACCUSED Nos.2 to 6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DEVAKOTTAI, SIVAGANGAI DISTRICT.
CRIME NO.12 OF 2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. S.JAYAKUMAR, Advocate
For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl.Side)
For Intervener : MR.S.MUTHUKUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A), 406 and 506(ii) of IPC and 4 of Tamilnadu Prohibition of Harassment of Women Act in Crime No.12 of 2014 on the file of the respondent Police and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused have demanded dowry from the *defacto* complainant and also harassed her.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. It is further submitted that the husband has already filed H.M.O.P.No.166 of 2014 against the *de facto* complainant for divorce on the ground of adultery. As per the order of this Court dated 20.04.2015, the petitioners have appeared before the respondent Police and they assured that were ready to handover articles and 1 ½ sovereign jewels to the *de facto* complainant. But, it was refused by the *de facto* complainant.

4.The learned counsel for the intervenor submitted that at the time of marriage, the *de facto* complainant was provided with 30



sovereigns gold jewels and articles worth about 2 ½ lakhs, but, the petitioners have assured to return only 1½ sovereign and articles and therefore, the *de facto* complainant has refused to receive the articles.

5. Heard the learned Government Advocate (Crl.side) 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. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai, Sivagangai District, 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 second petitioner shall appear before the respondent Police daily at 10 a.m., for a period of two weeks and the other 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.

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/-
24/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI, SIVAGANGAI DISTRICT.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
 - 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, DEVAKOTTAI, SIVAGANGAI DISTRICT. CR. NO. 12 OF 2014.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1cc to Mr.S.Jayakumar, Advocate Sr.No.21942

ORDER IN
CRL OP (MD) No.18464 of 2014
Date : 24/04/2015