



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

Monday, the Twelfth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18955 of 2015

WEB COPY

1 PITCHUMUTHU
2 MUTHAIAH
3 EASWARI

... PETITIONERS / ACCUSED RANK NOT KONW

M.PRAVEENA

...INTERVENOR

Vs

THE STATE REP.BY
THE INSEPECTOR OF POLICE
ALL WOMEN POLICE STATION,
AANDIPATTI,
THENI DISTRICT,
CRIME NO. NOT KNOWN/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.FERNAND, Advocate
For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)
For Intervenor : MR.P.MUTHUVIJAYAPANDIAN,ADVOCATE

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

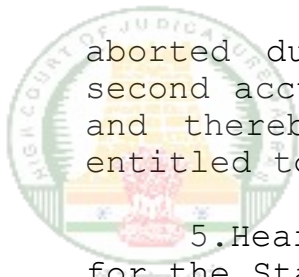
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 506 of I.P.C., r/w Section 4 of TNPHW Act, in Crime No.15 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant was married to the first accused on 14.11.2013 and at that time, she was provided 40 sovereign of gold jewels and thereafter, when she was pregnant, the accused demanded additional dowry of 10 sovereign of gold jewels and Rs.50,000/- and tortured her and the first pregnancy was aborted due to the harassment of the accused and thereafter, the accused have joined together and physically assaulted the de-facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case, due to matrimonial dispute between the petitioners and the de-facto complainant.

4.Per contra, the learned counsel for the intervenor vehemently opposed the bail petition contending that the first pregnancy was



aborted due to harassment of the accused and subsequently, the second accused has pushed the de-facto complainant against the wall and thereby she sustained injuries and therefore, they are not entitled to get anticipatory bail.

5. Heard the learned Government Advocate (Crl.side) appearing for the State.

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, Aandipatti 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 first petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioners 2 and 3 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition 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/-
12/10/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, AANDIPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSEPECTOR OF POLICE
ALL WOMEN POLICE STATION, AANDIPATTI,
THENI DISTRICT.

+1. CC to M/S K.GOKUL Advocate SR.No.60663

ORDER
IN
CRL OP(MD) No.18955 of 2015
Date :12/10/2015