



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

Wednesday, the Fifteenth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.18976 & 20553 of 2014

WEB COPY

1 PONNIAH
2 ARUNA

... PETITIONERS/ACCUSED 1 & 2
IN CRL.OP.NO.18976/2014

P.CHANDRASEKAR

...PETITIONER/ACCUSED NO. 5
IN CRL.OP.NO.20553/2014

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
AMBASAMUTHRAM, TIRUNELVELI DISTRICT.
CR. NO.36/2014.

... RESPONDENT/COMPLAINANT
IN BOTH CASES

KAVITHA

...INTERVENOR IN MP(MD)NO.1/14
IN CRL.O.P. (MD)No.18976/2014

For Petitioner : M/S.S.R.A.RAMACHADRAN Advocate in both cases
For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side) in both cases
For Intervenor : MR.S.PALANIVELAYUTHAM Advocate

PETITIONS 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, 2 and 5 in Crime No.36 of 2014 on the file of the respondent police apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) and 506(i) I.P.C. and Section 4 of Dowry Prohibition Act and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused Nos.1 and 2 had represented that their son was working in Dubai in a reputed Insurance Company and he was earning more money and thereafter, marriage was arranged and the same was solemnised on 08.06.2015 and later it was found out that he is an unemployed and the accused demanded more dowry from the defacto complainant and harassed her.

3. The learned counsel for the petitioner submitted that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the accused and the defacto complainant are close relatives and they were aware of the employment of the fifth accused.

4.The learned counsel for the intervenor submitted that only on the basis of the representation made by the accused Nos.1 and 2, the defacto complainant has agreed for the marriage and thereafter, they lived as husband and wife for five days and it is further submitted that the defacto complainant has filed H.C.P.(MD)No.1183 of 2014 seeking



production of her husband and he was produced before the Court on 12.04.2015 and on his appearance, the HCP was closed giving directions to the respondent to register a case against the accused.

5.The learned counsel for the intervenor submitted that the accused belonged to the State of Maharashtra and if they are granted anticipatory bail, they will not be available for trial and they will also hamper the witnesses.

6.Heard the learned Government Advocate (Crl.Side).

7.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, Ambasamuthram and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with a common surety for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the accused No.5 shall appear before the respondent police daily at 10.00 a.m. until further orders. The accused Nos.1 and 2 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.

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/-
15/07/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, AMBASAMUTHRAM.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, AMBASAMUTHRAM,
TIRUNELVELI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.R.A.RAMACHADRAN Advocate SR.No.38655

ORDER
IN
CRL OP(MD) Nos.18976 & 20553 of 2014
Date :15/07/2015

PA/SJW/20.07.2015/2P/6C