



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

Wednesday, the Seventh day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19099 of 2015

MANIKANDABOOOPATHY

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT.
CR.NO. 104 OF 2015

... RESPONDENT/COMPLAINANT

SENTHAMARASELVI

..INTERVENOR

For Petitioner : M/S M.KARL MARX Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)
For Intervenor : MR.K.KANNAN, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406 and 506(i) of I.P.C., in Crime No.104 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant, that a marriage between the first accused and the de-facto complainant was solemnised on 04.12.2013 and at the time of marriage, she was provided with 25 sovereigns of gold jewels and household articles worth Rs.2 lakhs and from the very next day of the marriage, all the accused have harassed the de-facto complainant both physically and mentally by demanding more dowry. It is further submitted that the first accused fell in love with one girl and he was leading a life with her and when this was informed to the second accused, she never contemned the act and at the instigation of the other accused, the de-facto complainant was tortured by the first accused.

3. The learned counsel for the petitioner submitted that the first accused is a diploma holder, while the de-facto complainant has obtained post graduate degree and both of them were working in the State of Kerala and due to misunderstanding, the de-facto complainant left the matrimonial home. It is further submitted that the de-facto complainant lodged a complaint in All Women Police Station, Thalavaipuram Police Station on 18.09.2015 against four



accused which is registered in C.S.R.No.268 of 2015 and when the petition enquiry was pending, she gave a second complaint before the All Women Police Station on 21.09.2015 implicating totally 8 accused in this case. It is further submitted that A5 and A6 are residing in Canada and A7 and A8 are residing in USA and all the accused have been roped in this case with an ulterior motive.

4. Per contra, the learned counsel for the intervenor reiterated the allegations made in the complaint and objected the grant of bail to the petitioner.

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

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Thirumangalam and on his executing a own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The 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/-
07/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

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

+1. CC to M/S M.KARL MARX Advocate SR.No.59240

Akm/13.10.2015 /2p-6c/

ORDER
IN
CRL OP(MD) No.19099 of 2015
Date :07/10/2015