



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

Thursday, the Fifteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19513 of 2015

1 DON BOSCO
2 ANTONY PILLAI
3 ALPHONSAMMAL
4 AROKIA MARY
5 AGNUS MARY
6 SHINY

... PETITIONERS/ ACCUSED 1 TO 6

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
COLACHEL, KANYAKUMARI DISTRICT.
(IN CRIME NO. 15/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.L.GEORGE PAUL ANTO Advocate

For Respondent : MS.S.PRABHA, Govt. Advocate (Cr1. Side)

For Intervenor : Mr.K.VAMANAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A6, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406, 324 and 506(i) of I.P.C., and Section 4 of TNPWH Act, 2002 in Crime No.15 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, the first accused married her on 26.04.2004 and at that time, she was provided with 40 sovereign of gold jewels and house hold articles and thereafter, the first accused has pledged her entire jewels for securing job of his sisters and therefore, the first accused physically and mentally harassed the de-facto complainant, demanding additional dowry.

3.The learned counsel for the petitioners submitted that he is not pressing the application in respect of the first accused and he has also made an endorsement to that effect. In view of the above, this petition is dismissed in respect of the first petitioner.

4.It is further submitted that A2 to A5 are the in-laws of the de-facto complainant and they have been falsely roped in this case.

<https://hcservices.court.gov.in/hcservices>
5.The learned counsel for the intervenor submitted that the first accused filed I.D.O.P.No.228 of 2013 against the de-facto complainant for divorce and also obtained ex-parte order and now, she has taken steps to



set aside the exparte decree. It is further contended that all the accused have joined together and harassed the de-facto complainant, demanding additional dowry.

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

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners No.2 to 6 with certain conditions.

8. Accordingly, the petitioners No.2 to 6 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari 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 petitioners No.2 to 6 shall appear before the respondent police daily at 06.00 as and when required for interrogation. The petitioners No.2 to 6 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners No.2 to 6 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/-
15/10/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI, KANYAKUMARI DISTRICT.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, COLACHEL, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.L.GEORGE PAUL ANTO Advocate SR.No.61892

ORDER
IN
CRL OP(MD) No.19513 of 2015
Date :15/10/2015