



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

Wednesday, the Twenty Eighth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20609 of 2015

1 SYLVESTER
2 PAPPIAH
3 ARULMARRY
4 BOSCO
5 A.F.JOSEPH
6 SUBBURAJ

... PETITIONERS/ ACCUSED NOS 1 TO 6

Vs

THE STATE REP. BY
THE INSEPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THOOTHUKUDI.
(CRIME NO.44 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S V.SASIKUMAR Advocate

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

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 294(b), 498(A), 406 and 506(i) of I.P.C., and Section 4 of Dowry Prohibition Act in Crime No.44 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that at the time of marriage between the first accused and the de-facto complainant on 31.10.2008, the accused was given 54 sovereign of gold jewels and cash of Rs.1 lakh as dowry and thereafter, the accused have harassed the de-facto complainant physically and mentally demanding additional dowry.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and it is further submitted that at the time of marriage with the first accused, the de-facto complainant was unemployed and now, she was appointed as a teacher in the Government School in S.P.Pattinam at Ramanathapuram District and after her employment, her attitude completely changed.

<https://hcservices.courts.gov.in/hcservices/> Further submitted that the first petitioner has filed I.D.O.P.No.16 of 2015 before the District Court, Tirunelveli for restitution of conjugal rights and the above said case was referred to



the Mediation and in the Mediation, the first petitioner has regularly appeared, but the de-facto complainant did not turn up and therefore, the matter could not be settled between the parties.

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 No.I, Thoothukudi and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties 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 No.2 to 6 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/-

28/10/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3.THE INSEPECTOR OF POLICE, ALL WOMEN POLICE STATION,THOOTHUKUDI.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.SASIKUMAR Advocate SR.No.63210

ORDER

IN

CRL OP(MD) No.20609 of 2015

Date :28/10/2015

NS/SKS-RR/SAR II/29.10.2015 : 2P/6C