



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

Wednesday, the Sixteenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21922 of 2015

T. SIVAKUMAR

... PETITIONER/ACCUSED NO.1

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TENKASI, TIRUNELVELI DISTRICT.
(CR.NO. 10 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.A. RAMACHANDRAN Advocate
For Respondent : MR.K.ANBARASAN,
Govt. Advocate (Crl. Side)

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 offences punishable under Sections 294(b), 323, 498(A), 406, 506(ii) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.10 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized on 20.08.2014 and at the time of marriage, the parents of the defacto complainant gave 60 sovereigns of gold jewels and Rs.1,00,000/- to the petitioner. After the marriage, both lived together at Chennai. The petitioner used to consume liquor and started to harass the defacto complainant and also demanding more dowry. On 20.04.2015, the petitioner along with other accused went to the parents of the defacto complainant's house and threatened the defacto complainant and her parents with dire consequences and demanded further sum of Rs.10,00,000/- for doing real estate business.

3.The case of the petitioner is that he is an innocent person and he has not committed any offence as alleged by the prosecution and the defacto complainant left the matrimonial life on her own volition on 24.02.2015. In the earlier complaint given by the defacto complainant, the petitioner appeared before the respondent police and at that time, the de-facto complainant refused to live with the petitioner. Thereafter, the petitioner filed HMOP No.242 of 2015 on the file of the Sub Court, Tambaram, seeking Restitution of Conjugal Rights. On receiving summons in HMOP, the defacto complainant has now given the present complaint against the petitioner and his family members.



4.The learned Government Advocate (Crl.side) submitted that the petitioner and other accused demanded more dowry and tortured the defacto complainant.

5.The learned counsel for the petitioner submitted that now the petitioner is residing at Tuticorin.

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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 arrest or on his appearance before the learned Judicial Magistrate, Shencottai and on 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 petitioner shall appear before the Tiruchendur police station 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/-
16/12/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

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

+1. CC to M/S S.R.A. RAMACHANDRAN Advocate SR.No.72051

Akm/17.12.2015/ 2p- 7c/dp/SAR-I

ORDER
IN
CRL OP(MD) No.21922 of 2015
Date :16/12/2015