



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

Monday, the Twenty Third day of November Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.22048 of 2015

ANITHA ROSARY

..PETITIONER/ ACCUSED -3

Vs

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
DINDUGAL.
(CR.NO.25 OF 2015)

.. RESPONDENT/COMPLAINANT

2 MARY JOSHPHIN
W/O. REX JOSEPH,
NO. 65, PETTAI ROAD,
METTUPATTI NORTH,
DINDIGUL DISTRICT.

... RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : M/S AL.KANNAN Advocate

For Respondent :MR.K.ANABARASAN Govt. Advocate (Crl. Side)

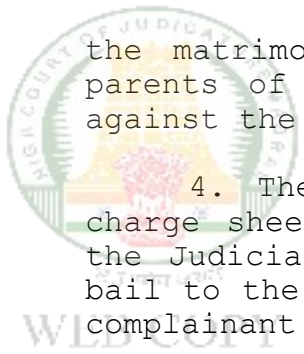
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) of I.P.C., and Section 4 of Dowry Prohibition Act in Crime No.25 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 first accused and the de-facto complainant was solemnised on 16.02.2011 and out of wedlock, a female child was born on 29.12.2012. At the time of marriage, the first accused demanded 50 sovereigns of gold and a car and the father of the de-facto complainant gave 30 sovereigns of gold, due to which, the petitioner along with the other accused harassed the de-facto complainant. Therefore, she has given a complaint and the case has been registered for the aforesaid offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and she has been falsely implicated in this case and the petitioner is the sister-in-law of the de-facto complainant. It is further submitted that the petitioner is a graduate working in a private Company at Chennai and she is living separately and the petitioner has two children. It is also submitted that right from the
<https://hcservices.ecgms.gov.in/hcservices/> de-facto complainant wants to set up separate matrimonial home and the first accused insisted the de-facto complainant to stay with his mother. Due to which, the de-facto complainant voluntarily left with



the matrimonial home in the year 2014 and at the instigation of the parents of the de-facto complainant, a false complaint has been given against the petitioner.

4. The learned Government Advocate (Crl.side) submitted that the charge sheet has been filed on 17.11.2015 in C.C.No.448 of 2015 before the Judicial Magistrate and this Court has already granted anticipatory bail to the first accused / husband and the mother-in-law of the de-facto complainant on 29.10.2015 in Crl.O.P.(MD).No.15387 of 2015.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused viz., A1 and A2 were already granted anticipatory bail by this Court in Crl.O.P.(MD).No.15387 of 2015, 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 her arrest or on her appearance before the learned Judicial Magistrate No.II, Dindigul and on her 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 the petitioner shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
23/11/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
 2. THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
 3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
DINDUGAL.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S AL.KANNAN Advocate SR.No.66923

ORDER
IN
CRL OP(MD) No.22048 of 2015
Date :23/11/2015

GJM/AMF/SARI-26.11.2015-2P-6C