



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

Tuesday, the Twenty Eighth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) Nos.22668 and 21955 of 2014

JOHN SHELLY

... PETITIONER/ACCUSED NO.1
IN CRL OP (MD) NO.22668/14

1.LILLY

2.GLADYS

3.JOHN ROSE

..PETITIONERS/ACCUSED RANK NOT KNOWN
IN CRL OP (MD) NO.21995/14

J.PREMI

... DE-FACTO COMPLAINANT/INTERVENER
IN MP. (MD) NO.1/14 IN CRL.OP. (MD) NO.21955/14

Vs

1 STATE REP.BY

THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KUZHITHURAI,
KANYAKUMARI DISTRICT.
CRIME NO.13/2014.

.. RESPONDENT/COMPLAINANT
IN CRL OP (MD) NO.22668/14

2 STATE REP.BY

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MARTHANDAM, KANYAKUMARI DISTRICT.
CRIME NO. (*)13/2014.

... RESPONDENT/COMPLAINANT
IN CRL OP (MD) NO.21995/14

**(*)Amended as per the order of this Hon'ble Court
dated 11.12.14 & made in MP.No.2/14 in
Crl.OP (MD) No.21955/14 by GCJ)**

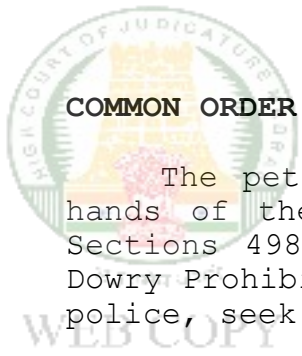
For Petitioner : M/S.S.C.HEROLD SINGH, Advocate in CRL OP (MD) NO.22668/14

For Petitioner : M/S.M.R.SREENIVASAN, Advocate in CRL OP (MD) NO.21995/14

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
in both petitions

For Intervener : MR.C.MUTHUSARAVANAN, Advocate in CRL OP (MD) NO.21995/14

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



COMMON ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A), 294(b), 406, and 506(i) of IPC r/w. Section 4 and 6 of Dowry Prohibition Act in Crime No.13 of 2014 on the file of the respondent police, seek anticipatory bail.

2. This Court has recorded the fact of handing over the house hold articles on 12.03.2015 and also the undertaking of the petitioners to handover the certificates and other jewellery of the de facto complainant on 26.03.2015. On 27.03.2015, it was represented by the learned counsel for the petitioners that the articles and jewellery have been handed over to the de facto complainant, which was also acknowledged by the counsel for the de facto complainant and the case was subsequently adjourned for handing over the balance jewellery and Rs.5,00,000/- to the de facto complainant.

3. It is now represented by the learned counsel for the intervenor that the petitioners have handed over the balance jewellery except three sovereigns of gold and also handed over the Demand Draft bearing No.16316, ICICI bank, Nagercoil dated 27.04.2015, drawn in favour of the de facto complainant for a sum of Rs.5,00,000/-.

4. Today, the learned counsel for the petitioners undertake to return the balance jewellery of three sovereigns on or before 02.06.2015 to the de facto complainant.

5. In such circumstances, interim anticipatory bail already granted by this Court is made absolute. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate-I, Kuzhithurai 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 Magistrate concerned and on further condition that the petitioners 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.

6. 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/-
28/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

To

1. THE JUDICIAL MAGISTRATE No.I, KUZHITHURAI

<https://hcservices.ecourts.gov.in/hcservices/>

2. THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.



3 THE SUB INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
KUZHITHURAI, KANYAKUMARI DISTRICT.

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
MARTHANDAM, KANYAKUMARI DISTRICT.

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

+1cc to Mr.M.R.SREENIVASAN, Advocate, in SR. No. 23068

TS/04.05.2015/3P-7C

ORDER IN
CRL OP(MD) Nos.22668 & 21955 of 2014
Date :28/04/2015