



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

Wednesday, the Ninth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22792 of 2015

1 K. CHELLAPANDIAN
2 V. KANTHASAMY
3 K. PREMA
4 PUNITHA @ RENGANAYAGI

... PETITIONERS/ACCUSED NO.1 TO 4

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SIVAKASI,
VIRUDHUNAGAR DISTRICT,
CRIME NO.22 OF 2015.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S N.ELANGO, ADVOCATE

FOR RESPONDENT : MR.K.ANBARASAN, GOVERNMENT 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 accused Nos.1 to 4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406, 506(i) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.22 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant and the first petitioner was solemnized on 29.10.2010 and two children were born in the wedlock. At the instigation of the petitioners 2 to 4, the first petitioner demanded dowry and tortured the defacto complainant.

3.The case of the petitioners is that after the marriage, the defacto complainant used to quarrel with the first petitioner and insisted the first petitioner to have a separate home and the first petitioner refused the same. Due to that, the dispute has arose and subsequently, she left the matrimonial home.

4.The learned counsel for the petitioners submitted that the first petitioner could not tolerate the act of the defacto complainant, he sent a notice through his Advocate and after receiving the notice only, the defacto complainant has given a false



complaint. The first petitioner is working as a driver in Tamil Nadu State Transport Corporation, Thiruppathur Branch, Karaikudi, Sivagangai District and the petitioners 2 and 3 are the aged persons and the fourth petitioner is residing at Virudhunagar District.

5. The learned Government Advocate (Crl. side) submitted that the petitioners demanded more dowry and tortured the defacto complainant and on her complaint, the case has been registered and the investigation is pending.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sivakasi 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 first petitioner shall appear before the respondent police once in a week I.e., on every Sunday at 10.00 a.m., until further orders and the petitioners 2 to 4 shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. 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/-
09/12/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, SIVAKASI.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADRURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.T.SUGADEV, Advocate SR.No. 70846

ORDER
IN
CRL OP (MD) No.22792 of 2015
Date : 09/12/2015