



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

Monday, the Seventh day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23048 of 2015

1 R. BALAMURUGAN
2 S. RAJENDRAN
3 R. MUTHUKALAI
4 M. MURUGESWARI
5 K. MALAIRAJA

... PETITIONERS/ACCUSED NO. 1 TO 5

Vs

STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KODAIKANAL,DINDIGUL DISTRICT,
CR NO.13 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.MUTHUVIJAYAPANDIAN 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 petitioners, who are arrayed as accused Nos.1 to 5, in Crime No.13 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 506(i) of IPC and Section 4 of Tamil Nadu Women Harassment Act and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners demanded dowry from the defacto complainant and tortured her mentally and therefore, the present case has been registered against the accused.

3. The case of the petitioners is that the first petitioner is a Tailor and working at Tiruppur. The defacto complainant is pressurising the first petitioner to leave Tiruppur and settle at Kodaikanal. According to the petitioners, the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4. The learned counsel for the petitioners submitted that very same complaint has been given earlier and at that time, the petitioners filed Crl.O.P(MD)No.18716 of 2015 seeking anticipatory



bail and this Court dismissed the said Petition recording the statement of the learned Government Advocate(Crl. Side) that on the complaint given by the defacto complainant, enquiry was conducted and subsequently, the same was closed.

5. The learned Government Advocate(Crl. Side) submitted that the petitioners demanded dowry from the defacto complainant and tortured her mentally.

6.Considering the facts and circumstances of the case and also considering the fact that this Court dismissed the earlier Criminal Original Petition filed by the petitioners in Crl.O.P(MD)No.18716 of 2015 recording the statement of the learned Government Advocate(Crl. Side) that enquiry was conducted and closed, 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, Kodaikanal 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 daily at 10.00 a.m. until further orders and the petitioners 2 to 5 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.

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/-
07/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KODAIKANAL
 - 2 THE CHIEF JUDICIAL MAGISTRATE,DINDIGUL DISTRICT
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KODAIKANAL,DINDIGUL DISTRICT
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.MUTHUVIJAYAPANDIAN Advocate SR.No.69749

ORDER IN
CRL OP(MD) No.23048 of 2015
Date :07/12/2015