



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.23143 of 2015

1 ESAKKIMMUTHU @ SAMUVEL
2 YOKOBU MADHAVAN
3 MARIAMMAL @ KIRUBA
4 GURUVAMMAL

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MUTHAIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 410 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.BASKAR MATHURAM 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 :-

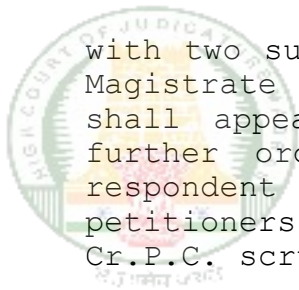
The petitioners, who are arrayed as accused Nos.1 to 4, in Crime No.410 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 306 and 511 of IPC and Section 4 of Dowry Prohibition Act and hence, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the husband of the defacto complainant and after the marriage, the petitioners demanded dowry from the defacto complainant and due to the torture, the defacto complainant consumed poison and therefore, the present case has been registered against the petitioners.

3. The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence and the defacto complainant on her volition left the matrimonial home and the petitioner did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl. Side) on instructions submitted that due to the torture made by the petitioners, the defacto complainant consumed poison and now is recovered.

5.Considering the facts and circumstances of the case and also considering the fact that the defacto complainant is recovered, 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 No.II, Thoothukudi District 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 4 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/-

07/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE
MUTHAIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.S.BASKAR MATHURAM Advocate SR.No.69777

sm:SKS-RR:SAR II:08.12.2015:2P/6C

ORDER

IN

CRL OP(MD) No.23143 of 2015

Date :07/12/2015