



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

Thursday, the Second day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.23044 of 2014

1 DENNIS PREMSHAJU

2 E. KIRUBARAHARAN

3 S. SWARNALATHA

... PETITIONER(S) / ACCUSED 1 to 3

Vs

THE STATE REP BY

CRIME BRANCH, CANTONMENT POLICE STATION,

TIRUCHIRAPPALLI DT, CRIME NO.956/2014 ... RESPONDENT / COMPLAINANT

JOHNSON

...INTERVENOR

For Petitioner : M/S.K.KUMARESAN Advocate

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

For Intervenor : M/S.K.M.KARUNAKARAN Advocate

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

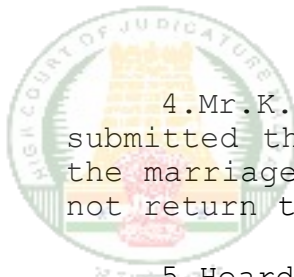
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 406 and 420 of IPC, in Crime No.956 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, A1 got married the daughter of the de-facto complainant, suppressing the earlier marriage and also he has not returned the jewels of 57 sovereigns and Rs.3.50 lakhs, which was given at the time of marriage.

3.The learned counsel for the petitioners submitted that the first petitioner married the daughter of the de-facto complainant in the year 2009 and she died in an road accident on 20.12.2011 and even before the accident, she filed IDOP No.97 of 2010 against A1 seeking divorce. The learned counsel further submitted that the de-facto complainant earlier filed a similar complaint before the Ponmalai Police station, Trichy and the same was registered in Crime No.10 of 2013 and the petitioners were granted anticipatory bail by this court in Crl.O.P(MD)No.6957 of 2013, dated 22.04.2014 and this is the second complaint.

It is further submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.



4.Mr.K.M.Karunakaran, learned counsel appearing for the intervenor submitted that the first petitioner had married several girls suppressing the marriage with the daughter of the de-facto complainant and also he did not return the jewels and household articles to the de-facto complainant.

5.Heard the learned Government Advocate (Criminal side) appearing for the respondent.

6.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.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, Tiruchirapalli 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 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.

8.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/-
02/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, TRICHY.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE OFFICER INCHARGE, CRIME BRANCH, CANTONMENT POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.

+1. CC to M/S.K.KUMARESAN Advocate SR.No.35973.

+1cc to M/S.K.M.KARUNAKARAN, Advocate in SR.No 33971

TS/07.07.2015/2P -7C

ORDER
IN
CRL OP(MD) No.23044 of 2014
Date :02/07/2015