



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

Tuesday, the Eighth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23266 of 2015

WEB COPY

1 AMUTHA
2 ANUSYA @ ANUSIYADEVI
3 KARUPPIAH
4 VELUMURUGAN @ MURUGAN

..PETITIONERS/ACCUSED 2 TO 5

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ANDIPATTI, THENI DISTRICT.
[CRIME NO. 18 OF 2015]

... RESPONDENT/COMPLAINANT

For Petitioners : M/S B.JEYAKUMAR 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.2 to 5, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) of IPC and 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.18 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 de facto complainant and A1 was solemnised in the year 2012. After marriage, they were living in joint family and one child was born in the wedlock. A1 is serving in the Indian Army at Nagpur. In such circumstances, the petitioners have demanded more dowry from the de facto complainant and even after the birth of the child they have not visited the child and they have not treated the de facto complainant with dignity. Hence, the de facto complainant went to Nagpur along with A1 and there A1 also treated the de facto complainant in the same way. Therefore, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that after the marriage, the de facto complainant was living only 1 ½ months with A1 and left the matrimonial home. He further submitted that A1 is



working in Indian Army at Nagpur, while so, the de facto complainant forced him to resign the job. Hence, A1 has filed HMOP.No.178 of 2015, on the file of Sub Court, Theni. After receiving the summon, the de facto complainant has given a false complaint against the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the HMOP.No.178 of 2015 filed by A1 is pending before the Sub Court, Theni, 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, Andipatti, Theni District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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.

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/-
08/12/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI DISTRICT.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ANDIPATTI, THENI DISTRICT.

+1. CC to M/S B.JEYAKUMAR Advocate SR.No.70278