



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) Nos.23267 & 23369 of 2015

SELVARANI

..PETITIONER/ACCUSED No.4  
in Crl.OP (MD) No.23267/2015

1. NAGARAJAN

2. MUTHULAKSHMI

..PETITIONER/ACCUSED No.2 & 3  
in Crl.OP (MD) No.23369/2015

Vs.

STATE REP.BY

1 THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

(CR. NO. 23/2015)

..1ST RESPONDENT/COMPLAINANT  
in both the petitions

2 P. OVAMMAL

..2ND RESPONDENT/COMPLAINANT  
in both the petitions

For Petitioner : M/S G.MARIAPPAN Advocate in both the petitions

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.Side)  
in both the petitions

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

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P(MD)No.23267 of 2015, who is arrayed as accused No.4, in Crime No.23 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 313 read with 511 of the Indian Penal Code and Section 4 of Dowry Prohibition Act and hence, seeks anticipatory bail.

2. The petitioners in Crl.O.P(MD)No.23369 of 2015, who are arrayed as accused Nos.2 & 3, in Crime No.23 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), 313 read with 511 of the Indian Penal Code and Section 4 of Dowry Prohibition Act and hence, seek anticipatory bail.

3. The case of the prosecution is that the marriage between A1 and the defacto complainant was solemnized on 13.04.2014 and a female child was born on 04.03.2015 in the wedlock and the petitioners are the in-laws of the defacto complainant. After marriage, the petitioners and A1 ill-treated the defacto complainant in the matrimonial home and they did not even give food to the defacto complainant and when she was in the family way, they gave papaya and pineapple in order to abort her pregnancy.



4. The case of the petitioners is that the petitioners are the in-laws of the defacto complainant and after marriage, a female child was born on 04.03.2015 and the petitioners gave 4 sovereigns of gold chain and gold bangles to the child. The defacto complainant developed inferiority complex and frequently fight with her husband/A1. The petitioners tried to compromise both A1 and the defacto complainant, but the defacto complainant gave a complaint on 31.08.2015 before the All Women Police Station stating that her husband and the petitioners are harassing her. On 01.09.2015, A2 and A3 appeared before the All Women Police Station for enquiry. In the enquiry, it was suggested to have a separate house. The defacto complainant being not satisfied with that, started to give repeated false complaint to the higher officials. Therefore, the petitioners along with A1 have filed anticipatory bail petition before this Court in CrI.O.P(MD)No.18370 of 2015. By an order dated 21.09.2015, this Court directed the respondents not to harass the petitioners and referred the matter before the Mediation. When the matter came up for hearing on 28.10.2015, this Court recorded the statement of the learned Public Prosecutor that petition enquiry was conducted and closed and hence, the anticipatory bail petition was closed on 28.10.2015. Subsequently, A1 has filed H.M.O.P.No.181 of 2015 on the file of the Sub Court, Aruppukottai. After receiving the summons, the defacto complainant had given a complaint before the respondent police.

5. The learned Government Advocate (Criminal Side) submitted that the petitioners ill-treated the defacto complainant and harassed her and they gave papaya and pineapple to the defacto complainant to abort her pregnancy and due to that, complaint has been given and investigation is pending.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioners are the in-laws of the defacto complainant, 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, Aruppukottai 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. The petitioners shall comply with the conditions 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 petitions for anticipatory bail stand dismissed.

sd/-

09/12/2015

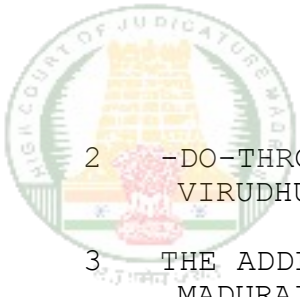
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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

<https://hcservices.ecourts.gov.in/hcservices/>

THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.



2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

WEB COPY

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,  
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

+2. CC to M/S G.MARIAPPAN Advocate SR.No.70542 & 70543

ORDER IN

CRL OP (MD) Nos.23267 & 23369 of 2015

Date :09/12/2015

PBK/NGM-SS/SAR-II 10/12/2015 ::3P-7C::