



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

Tuesday, the Fifteenth day of December Two Thousand Fifteen

PRESENT

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

WEB COPY

CRL OP(MD) No.23275 of 2015

1 ABBAS KHAN

2 I.IBRAHIM KHAN

3 I.MAHABOOB JOHN

... PETITIONERS / ACCUSED

A.SAMSATH BEGUM

...INTERVENER

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

FORT RANGE,

FORT POLICE STATION COMPLEX,

TRICHY-2, TRICHY DISTRICT,

CRIME NO NOT KNOWN OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.SUNDAR Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.P.GANAPATHI SUBRAMANIAN, Advocate

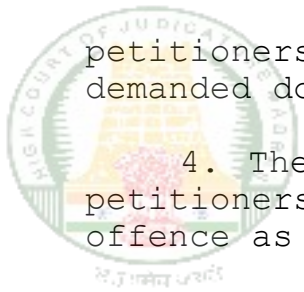
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehending arrest at the hands of the respondent police, for the alleged commission of offences punishable under Section 498(A) I.P.C., and Sections 3 and 4 of Dowry Prohibition Act, in Crime No.not known of 2015, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the de-facto complainant and the first petitioner was solemnized on 04.06.2015 at Trichy, as per Muslim Rites and Customs. After the marriage, both of them were residing in the matrimonial home at Trichy. The second petitioner is the father of the first petitioner and the third petitioner is the mother of the first petitioner. After the marriage, the petitioners demanded dowry from the de-facto complainant and harassed her. Hence, she has given the complaint for the offences stated above.

3. The case of the petitioners is that within two months from the date of marriage, the de-facto complainant started quarrelling with the petitioners and also pressurising the first petitioner to set up a separate matrimonial home. The first petitioner refused the same. The de-facto complainant, who is working as a Constable, using her position and influencing the respondent police, called the



petitioners under the guise of enquiry. The petitioners never demanded dowry.

4. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

5. The learned Government Advocate (Crl. side) submitted that based on the complaint of the de-facto complainant, a case has been registered against the petitioners and three others, in Crime No.29/2015, for the offences punishable under Sections 498(A) and 506(ii) IPC read with Section 4 of Dowry Prohibition Act.

6. Considering the facts and circumstances of the case, 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.IV, Trichy, 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 report before the respondent police daily at 6.00 p.m., for two weeks and thereafter, as and when required for interrogation. The petitioners 2 and 3 shall report before the respondent police, as and when required for interrogation. 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 petition for anticipatory bail stands dismissed.

sd/-
15/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV,TRICHY.
- 2 DO THRO'THE CHIEF JUDICIAL MAGISTRATE,TRICHY.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
FORT RANGE,FORT POLICE STATION COMPLEX,TRICHY-2,
TRICHY DISTRICT.

+1. CC to M/S R.SUNDAR Advocate SR.No.71727

ORDER

IN

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Date :15/12/2015