



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

Thursday, the Seventeenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23368 of 2015

WEB COPY

1 R.VIMALATHITHAN
2 MUTHULAKSHMI
3 S.RAMAN
4 SOUNDHARAM
5 LAKSHMI
6 SARASU @ SARASWATHI
7 SENTHIL
8 SANKAR
9 PRIYA
10 VIGNESHWARAN

..PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.
(CRIME NO. 27 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S S.KAMESWARAN Advocate

For Respondent : Mr.K.ANBARASAN, Government 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, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498-A and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.27 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 first petitioner and the de-facto complainant was solemnized on 02.02.2014 at Tahayamangalam Temple, Sivagangai District, as per Hindu Rites and Customs. After the marriage, the first petitioner went to Dubai in the month of July, 2014. Subsequently, the first petitioner and others demanded the de-facto complainant to give consent for mutual divorce. On her complaint, the case has been registered for the offences stated above.

3. The case of the petitioners is that they are innocent and they have been falsely implicated in this case. They never demanded dowry from the de-facto complainant. On the other hand, the de-facto complainant left the matrimonial home on her own volition. The first petitioner served a legal notice to the de-facto complainant on 29.09.2015 through his counsel for re-union. Immediately, the de-facto complainant has given the complaint before the respondent police.



4. Heard the learned Government Advocate (Criminal side).

5. Today, the first petitioner and the de-facto complainant are present before this Court. The first petitioner submitted that he handed over all the jewels and household articles to the de-facto complainant and the de-facto complainant also agreed for the same.

6. Heard the learned Government Advocate (Criminal side).

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

8. 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, Sivagangai, 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 conditions stipulated under Section 438 Cr.P.C. scrupulously.

9. 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/-

17/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

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

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.

+1. CC to M/S S.KAMESWARAN Advocate SR.No.72606

ORDER IN

CRL OP(MD) No.23368 of 2015

Date :17/12/2015

PBK/NGM-SS/SAR-I 18/12/2015 ::2P-6C::