



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.23982 of 2015

GOPI KRISHNAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
BODI, THENI DISTRICT.
(IN CR.NO. 13 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S V.P.RAJAN Advocate

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

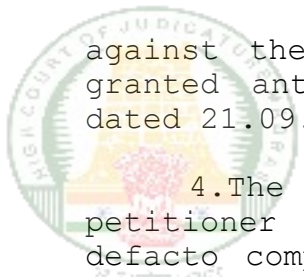
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 506(i) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.13 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized on 09.09.2013. At the time of marriage the parents of the defacto complainant gave 100 sovereigns of gold jewels, Car and other household articles. After marriage, both were settled at Chennai. Subsequently, the petitioner and his family members demanded dowry and harassed the defacto complainant. The defacto complainant left the matrimonial home. On 31.08.2015 the petitioner and his family members came to the defacto complainant's house at Bodi and demanded a sum of Rs.10 lakhs, as dowry and threatened the defacto complainant and her family members with dire consequences.

3.The case of the petitioner is that he is innocent and he has not committed any offence as alleged by the prosecution. After the marriage, the defacto complainant used to quarrel with the petitioner on flimsy reasons. Due to that, the defacto complainant caused mental cruelty to the petitioner and due to that he met with an accident. Even at the time of taking treatment at Chennai, the defacto complainant did not take care of the petitioner and left the matrimonial home. Subsequently, on 21.10.2014, the petitioner issued notice through his Advocate. She did not response to the notice and on the otherhand she threatened the petitioner with dire consequences. Therefore, the petitioner filed H.M.O.P.No.147 of 2015, for divorce on the ground of cruelty and desertion. On receiving the summons in HMOP, the defacto complainant has given a false complaint



against the petitioner and his family members. A2 to A7 were already granted anticipatory bail by this Court in Crl.O.P.No.18189 of 2015, dated 21.09.2015.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner and his family members demanded more dowry and harassed the defacto complainant and also threatened the defacto complainant and her family members.

5.Considering the facts and circumstances of the case and also considering the fact that the accused Nos.2 to 7 were already granted anticipatory bail by this Court in Crl.O.P.No.18189 of 2015, dated 21.09.2015, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Bodi and on 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 petitioner shall appear before the Andipatti Police Station daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner 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
BODI

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
THENI DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
BODI, THENI DISTRICT.

4 THE INSPECTOR OF POLICE, ANDIPATTI POLICE STATION, ANDIPATTI.

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1. CC to M/S V.P.RAJAN Advocate SR.No.72298.

ORDER
IN
CRL OP (MD) No.23982 of 2015
Date :17/12/2015