



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

Tuesday, the Twenty First day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.3403 of 2015

1 PREMSUNDAR
2 DADA SUNDARADAS @ DADA
3 SUNDARADAS ... PETITIONERS / ACCUSED 1 TO 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NAGERCOIL,
KANYAKUMARI DISTRICT.
CR. NO. 12 OF 2015. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SIVAKUMAR Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

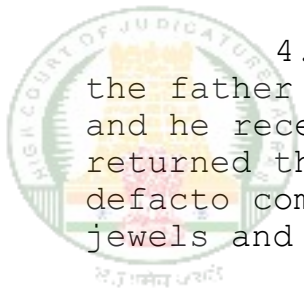
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 498(A) and 506(i) I.P.C and Sections 4 and 6 of Dowry Prohibition Act in Crime No.12 of 2015 and hence, seek anticipatory bail. This Court granted anticipatory bail to the petitioners 2 and 3 and in respect of the first petitioner, the matter was referred to Mediation and the first petitioner was directed to appear before the respondent to return the articles of the defacto complainant.

2.The learned counsel for the petitioners submitted that as per the direction, the first petitioner has appeared before the respondent police and returned the articles of the defacto complainant.

3. The respondent has filed a status report dated 12.03.2015 stating that the petitioner has handed over the Maruthi Ertiga car bearing Registration No. TN 75 J 6635 and its R.C book to the defacto complainant and also returned the document Nos. 1081/2012, 1082/2012 dated 28.03.2012. It is further stated in the status report that the first petitioner has not returned the jewels and cash of Rs.10 lakhs given by the defacto complainant at the time of marriage.



4. The learned counsel for the petitioners submitted that the father of the defacto complainant was doing real estate business and he received Rs.33 lakhs from the first petitioner and he has not returned the amount. It is further submitted that at the time of the defacto complainant left the matrimonial home, she had taken all the jewels and remaining articles.

5. Heard the Government Advocate (Crl. Side) appearing for the State.

6. Considering the facts and circumstances of the case, I am inclined to enlarge the first petitioner on anticipatory bail. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.2, Nagercoil, 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 to the learned Magistrate concerned and on further condition that the first petitioner shall appear before the respondent police as and when required for interrogation. The first petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The first 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/-
21/07/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, NO. II, NAGERCOIL.

2. THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMAR AT NAGERCOIL.

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

4. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NAGERCOIL,
KANYAKUMARI DISTRICT.

+1. CC to M/S.S.SIVAKUMAR Advocate SR.No.39771

ORDER

IN

CRL OP(MD) No.3403 of 2015

Date : 21/07/2015