



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

Thursday, the Nineteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4607 of 2015

1 MURUGESAN
2 SUBBAIAH
3 RAMAKKAL
4 MUTHURAJ

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT
CRIME NO.5 OF 2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR Advocate
For Respondent : M/S.A.P.BALASAMBRAMANIAN
Govt. Advocate (Crl. Side)

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

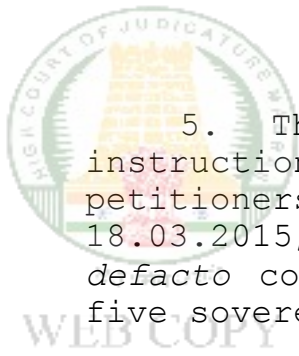
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) IPC and Section 4 of Dowry Prohibition Act and Section 4 of TNPWH Act, in Crime No.5 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent State. The respondent police is present in Court today.

3. It is represented that the second petitioner-Subbiah is not an accused in this case. Hence, the petition seeking anticipatory bail is dismissed as against the second petitioner herein.

4. This Court on 12.03.2015 granted interim anticipatory bail to the petitioners 1,3 and 4 on condition that the first petitioner shall appear before the respondent police at 05.30 p.m., and return all the household articles.



5. The learned Government Advocate (Criminal side), on instructions from the respondent police, submits that the petitioners 1,3 and 4 appeared before the respondent police and on 18.03.2015, they handed over all the household articles to the *defacto* complainant. There is a small dispute only with regard to five sovereigns of gold.

6. According to the learned counsel for the petitioners 1,3 and 4, the *defacto* complainant was already a divorcee and the first petitioner had married her and even in the complaint given by her, she has not stated that 5 sovereigns of gold is with the petitioners 1,3 and 4.

7. On a conspectus of the facts obtaining in this case, I am of the opinion that it is a fit case to grant anticipatory bail to the petitioners 1,3 and 4. Accordingly, the petitioners 1,3 and 4 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukottai, Virudhunagar District, on condition that the petitioners 1,3 and 4 shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners 1,3 and 4 shall report before the respondent police as and when required for interrogation.

[b] the petitioners 1,3 and 4 shall not tamper with evidence or witness either during investigation or trial.

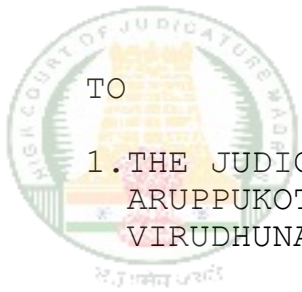
[c] the petitioners 1,3 and 4 shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 1,3 and 4 in accordance with law as if the conditions have been imposed and the petitioners 1,3 and 4 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
19/03/2015

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE
ARUPPUKOTTAI
VIRUDHUNAGAR DISTRICT

WEB COPY

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

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

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

RL/5 C- 24/3/2015

ORDER

IN

CRL OP (MD) No.4607 of 2015

Date :19/03/2015