



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

Monday, the Sixth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.4706 & 5052 of 2015

WEB COPY

1 DARMAR
2 KATHIRESAN
3 MEENAKSHI
4 PONNUSAMY
5 RAJAVALLI

... PETITIONERS/ACCUSED NO.1 TO 5
IN CRL OP(MD)4706 OF 2015

K.JYOTHIRAJ

... PETITIONER/ACCUSED NO.5
IN CRL OP(MD).5052 OF 2015

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KAMUTHI, RAMANATHAPURAM DISTRICT.
(CR. NO. 4/15)

... RESPONDENT/COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.D.SASIKUMAR Advocate
IN BOTH PETITIONS

For Respondent : MR.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side)
IN BOTH PETITIONS

For Intervener : MR.P.MUTHUSAMY, Advocate
IN BOTH PETITIONS

PETITIONS 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 an alleged offence punishable under Sections 498(A), U/s.4 of Dowry Prohibition Act r/w. Sec.4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.4 of 2015, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent.

3. The case of the prosecution is that the first accused / A1 has married a de facto complainant on 28.10.2012 and thereafter, started harassing her demanding 10 sovereigns of Gold.

4. The learned counsel for the petitioner submitted that the husband of the de facto complainant was in abroad from 2012 and after his return to India he has filed HMOP No.16 of 2015 against the de facto complaint for divorce and after receiving notice in the HMOP, a false case was given implicating of the entire family members of the husband in this case.



5. Per contra, the learned counsel for the de facto complainant submitted that the de facto complainant is ready for re union with her husband and he was prevented by the other accused with ulterior motive. Though this case is referred to Mediation and Conciliation Centre to explore the possibility of settlement, sent back as it was not settled amicably.

6. Under such circumstances, the interim Anticipatory Bail already granted by this Court dated 19.03.2015 is made absolute. Accordingly, the petitioners 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, Kamuthi, Ramanathapuram District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 first petitioner / A1 in CrI.O.P.No.4706 of 2015 shall appear before the respondent police daily at 10.00 a.m until further orders. The other petitioners shall appear before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

sd/-
06/04/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, KAMUTHI, RAMANATHAPURAM DISTRICT.
2. DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KAMUTHI, RAMANATHAPURAM DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.D.SASIKUMAR Advocate SR.No.16862

ORDER

IN

CRL OP(MD) Nos.4706 & 5052 of 2015

Date :06/04/2015

PA/08.04.2015/2P/7C