



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.8386 of 2015

1 KALISWARAN
2 GOPALAKRISHNAN
3 LAKSHMI
4 KALIAMMAL

..PETITIONERS/ACCUSED 1 TO 4

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, RAJAPALAYAM,
VIRUDHUNAGAR DIST.
CRIME NO. 5 OF 2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.INDRACHITHU Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Criminal Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494 of IPC and Section 3 & 4 of Women Harassment Act, in Crime No.5 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

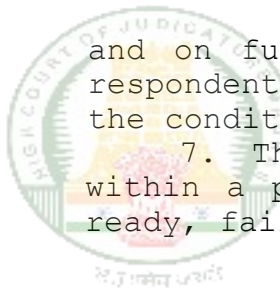
2.The case of the prosecution is that the accused have demanded 20 sovereign of gold jewels and Rs.20,000/- as additional dowry from the defacto complainant.

3.The learned counsel for the petitioners submitted that the defacto complainant's party have trespassed into the house of the petitioners and caused damages to the articles and also killed one cattle, for which, a criminal case has been registered on 26.07.2014 in Crime No.381 of 2014 for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 355, 427, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act.

4.The learned counsel for the petitioner further submitted that the first petitioner had already filed a H.M.O.P.No.2 of 2015 before the Sub Court, Srivilliputtur against the defacto complainant for divorce on the ground of cruelty. He further submitted that on the basis of the direction issued by the learned Judicial Magistrate No.II, Srivilliputtur under Section 156(3) Cr.P.C., the respondent police now registered the case against the petitioners.

5.The learned Government Advocate (Crl.side) submitted that the accused have demanded dowry and harassed the defacto complainant.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned
Services Courts, Rajapalayam 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. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-

29/04/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, RAJAPALAYAM,
VIRUDHUNAGAR DIST.

+1. CC to M/S.T.INDRACHITHU Advocate SR.No.23527

ORDER IN

CRL OP(MD) No.8386 of 2015

Date :29/04/2015

PBK/SJW 05/05/2015 ::2P-6C: