



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

Wednesday, the Twenty Fifth day of February Two Thousand Fifteen
PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH
CRL OP(MD) No.9679 of 2014

1 KAMATCHI RAJA
2 NALLAKAMU,
3 NAGAJOTHI

... PETITIONERS/RANK NOT KNOWN

DR.R.LAKSHMIPRIYA

... INTERVENOR

Vs

THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPPARANKUNDRAM,
MADURAI DISTRICT. CR.NO. 44/2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.KUMAR Advocate
For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)
For Intervenor : MR.P.NATARAJAN, Advocate

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

ORDER : The Court Made the following order :-

On 05.02.2015, this Court passed the following order:

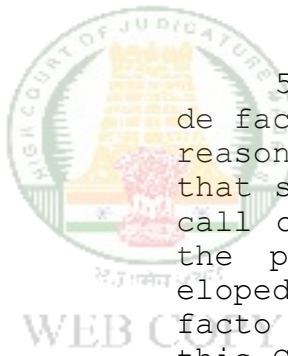
"Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 418, 294(b), 448 and 506(i) IPC and Section 4 of Dowry Prohibition Act in Crime No.44 of 2014 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2.Earlier, the petitioners were granted interim anticipatory bail by this Court on 10.06.2014 and the matter was referred to the Mediation Centre which has sent a failure report dated 09.12.2014.

3. It is the case of the prosecution that the defacto complainant is a Dentist by profession. The 1st petitioner herein is working as Manager in a Nationalized Bank. Family of the 1st petitioner approached the family of the defacto complainant for arranging marriage between them. It is stated by the defacto complainant that on 20.04.2014, betrothal was held in Rajdhani Hotel, Madurai. At that time, 51 sovereigns of gold, Rs.1 lakh cash, 3/4 sovereign gold ring and Rs.50,000/- were given to the 1st petitioner's family. Parents of the defacto complainant spent about Rs.3 lakhs and marriage was fixed on 02.06.2014 to be held at Dindigul PVK Marriage Hall. While so, petitioners started demanding more and more dowry and started poking fun of the defacto complainant's physical stature. It is stated that when the marriage was called off, frustrated with it, the defacto complainant attempted to commit suicide and on account of timely medical intervention, her life was saved.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Learned counsel for the intervenor strongly objected for grant of anticipatory bail to the petitioners.



5.Learned counsel for the petitioners submits that the de facto complainant did not attempt to commit suicide for the reasons stated in the complaint, but on account of the fact that she was in love with some other person and she wanted to call off the marriage. According to the learned counsel for the petitioners, the de facto complainant thereafter has eloped with one Sarathy S/o.Karuppiyah and therefore the de facto complainant's father has filed HCP.No.1235/2014 before this Court and the same is pending.

6.Be that as it may, the petitioners are ready and willing to repay a sum of Rs.1,25,000/- being the amount spent by the de facto complainant's family for the betrothal.

7.Under such circumstances, the interim anticipatory bail granted to the petitioners is made absolute on condition that the petitioners shall jointly deposit a sum of Rs.1,25,000/- before the Additional Mahila Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to the defence in the criminal case. On such deposit, the learned Judge, Additional Mahila Court, Madurai, shall issue notice to the de facto complainant's father, Mr.C.Raj who will be entitled to withdraw the amount without furnishing any security or surety.

8.Post the matter on 25.02.2015 under the caption 'for reporting compliance'."

2. Today, the petitioners have filed a memo stating that a sum of Rs.1,25,000/- (Rupees One Lakh and Twenty Five Thousand only) has been deposited before the Additional Mahila Court, Madurai, as directed by this Court and a receipt is also enclosed.

3. Under such circumstances, interim anticipatory bail already granted to the petitioners is made absolute. As far as the other claims are concerned, the parties are directed to work out their remedies in a manner known to law, before the Civil Court concerned.

sd/-
25/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPPARANKUNDRAM, MADURAI DISTRICT.
 2. THE ADDITIONAL MAHILA JUDGE, MADURAI.
 3. THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.KUMAR Advocate SR.No. 8913
+1cc to MR.P.NATARAJAN, ADVOCATE IN SR : 8791