



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

Thursday, the Sixth day of August Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.9274 of 2015

1. PANDIAN
2. GANDHIMATHI
3. MEENAKSHI

... PETITIONERS/ACCUSED RANK NOT KNOWN

NITHYA

... INTERVENING PETITIONER/
DE-FACTO COMPLAINANT

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR, MADURAI
DIST. CRIME NO. NOT KNOWN OF 2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR Advocate
For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)
For Intervenor : M/S.R.ALAGUMANI Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SEC. 438 CR.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 506(i) of the Indian Penal Code and also under Section 4 of Dowry Prohibition Act in Crime No.57 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the defacto complainant, the accused have demanded dowry and harassed her.

3.The learned counsel for the petitioner submitted that the marriage between the defacto complainant and the first accused was solemnized on 01.06.2014 and they lived together for only 10 days and due to matrimonial dispute, now they are living apart and the first petitioner has filed H.M.O.P.No.51 of 2015 against the defacto complainant seeking for divorce and as per the direction of this Court, the petitioners have returned the entire articles of the defacto complainant on 29.07.2015.

4.Per contra, the learned counsel for the Intervenor vehemently opposes for granting anticipatory bail to the petitioners contending that the accused have given only part of the house-hold articles and the entire jewels of 10 Sovereigns are with the accused and once anticipatory bail has been granted to the petitioners, the defacto complainant could not recover the jewels and the first accused is also trying for second marriage with some other girl and the accused Nos.2 and 3 are helping the first accused for the second marriage.



5.The learned counsel for the petitioners submitted that 11 sovereigns of jewels of the petitioners are with the defacto complainant and it is not yet returned so far.

6.Heard the learned Government Advocate (Criminal Side) appearing for the respondent.

7.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Melur 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 first petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation and the second and third petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

9. 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/-
06/08/2015

/ TRUE COPY /

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

TO

1.`THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT,

2. DO THROUGH THE CHIEF JUDICIAL, MAGISTRATE, MELUR, MADURAI DISTRICT

3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MELUR,
MADURAI DISTRICT.

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

+1. CC to M/S.V.SASIKUMAR Advocate SR.No.44675

+1CC to M/s.R.ALAGUMANI Advocate SR.No.44900

ORDER
IN
CRL OP(MD) No.9274 of 2015
Date :06/08/2015

GJM/KBM/SAR-II -10.8.2015
2P/7C