



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

Monday, the Thirty First day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9286 of 2015

1 JAYARAM
2 MUNIYANDI
3 RAJALAKSHMI

..PETITIONERS/ACCUSED 1 to 3

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUVARAMBUR, TRICHY DISTRICT.
CRIME NO.8 OF 2015

... RESPONDENT/COMPLAINANT

REVATHI

..INTERVENOR

For Petitioners : M/S.G.MARIMUTHU Advocate

For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

For Intervenor : M/S.S.SATHIYA CHIDAMBARAM, 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 offence punishable under Sections 498(A), 323, 406, 506(i) of I.P.C., r/w. Section 4 of Dowry Prohibition Act in Crime No.8 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the prosecution, the accused have demanded 60 lakhs from the de-facto complainant to purchase flat in Chennai and harassed her. It is further alleged that the accused have withheld the jewels of the de-facto complainant.

3. The learned counsel for the petitioners submitted that the first petitioner is employed in BHEL at Trichy and the petitioners 2 and 3 are retired Government employees and they have been falsely implicated in this case. It is further submitted that in the year 2012, the first petitioner had entered into an agreement with the building developer to purchase a flat and paid advance amount on 26.07.2012, but the de-facto complainant has alleged that the accused have demanded money to pay advance amount to purchase the flat in the year 2013.



4. It is further submitted that the first petitioner has availed loan from Life Insurance Corporation of India and was repaying the loan from his salary and the entire allegations in the complaint are false.

5. Per contra, the learned counsel for the intervenor submitted that the de-facto complainant has specifically alleged in the complaint that the accused have received Rs.12,50,000/- to pay advance amount to purchase the flat in the name of the first accused and after registration of this case, the first accused has settled the property in favour of his father / A2. It is further submitted that the accused have physically assaulted the de-facto complainant and had caused injuries.

6. The learned Government Advocate (Crl.side) submitted that in a domestic quarrel, both the de-facto complainant and the first accused have attacked with each other and caused simple injuries. It is further submitted that the accused have harassed the de-facto complainant demanding dowry.

7. 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 their arrest or on their appearance before the learned ***Additional Mahila Court, Trichy** and on their executing 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 learned Magistrate concerned and on further condition that the first petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders and the petitioners 2 and 3 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.

8. 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/-
31/08/2015

***AMENDED AS PER ORDER OF THIS HON'BLE
COURT DATED 01.10.2015 AND MADE
IN MP(MD)2 OF 2015 IN
CRL OP(MD)No. 9286 OF 2015**

sd/-
01.10.2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

TO BE SUBSTITUTED TO THE ORDER ALREADY DESPATCHED



2 THE JUDICIAL MAGISTRATE, THIRUVARAMBUR.

3 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

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

5 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUVARAMBUR, TRICHY DISTRICT.

+1. CC to M/S.G.MARIMUTHU Advocate SR.No.50240
akm/03.09.2015 /2p-6c/

TS/19.10.2015/2P - 6C /SAR -II

ORDER
IN CRL OP(MD) No.9286 of 2015
Date :31/08/2015