



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

Wednesday, the Twelfth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.9942 and 9943 of 2015

ESAKKIMUTHU

... PETITIONER/SOLE ACCUSED IN CRL OP.(MD)NO.9942/15
AND PETITIONER/ACCUSED NO.1 IN CRL OP(MD)NO.9943/15

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGULAM, TIRUNELVELI DISTRICT,
(CRIME NO.13 OF 2013 IN CRL OP.(MD)NO.9942/15)
(CRIME NO.36 OF 2013 IN CRL OP.(MD)NO.9943/15)

... RESPONDENT/COMPLAINANT IN BOTH PETITIONS

For Petitioner : M/S.C.D.JOHNSON Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P.No.9942 of 2015 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 294(b), 506(i) IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act in Crime No.13 of 2013 and hence, seeks anticipatory bail. The petitioner in Crl.O.P.No.9943 of 2015 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 506(i) r/w 109 IPC and Section 4 of Dowry Prohibition Act in Crime No.36 of 2013 and hence, seeks anticipatory bail.

2. In Crime No. 13 of 2013, the case of the prosecution is that the accused demanded Rs.10 lakhs as additional dowry from the defacto complainant to go to Singapore for doing business and harassed her. In Crime No.36 of 2013, the case of the prosecution is that the first accused, who is the husband of the defacto complainant had illicit relationship with the third accused and also demanded Rs.10 lakhs as additional Dowry.

3.The learned counsel for the petitioner submitted that the third and fourth accused in Crime No.36 of 2013 have already been granted anticipatory bail. The learned counsel further submitted that both the accused and the defacto complainant appeared before Mediation but it could not succeed and now the first accused filed H.M.O.P.No.127 of 2015 before the learned Sub Judge, Tenkasi against the defacto complainant for



4. Heard the learned Government Advocate (Crl. Side) appearing for the State.

5. Considering the facts and circumstances, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Tenkasi, and on 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 petitioner shall appear before the respondent police daily at 10.30 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner 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/-
12/08/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, TENKASI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT

3.THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, ALANGULAM,
TIRUNELVELI DISTRICT,

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

+1. CC to M/S.C.D.JOHNSON Advocate SR.No.45677

ORDER
IN
CRL OP(MD) No.9942 and 9943 of 2015
Date :12/08/2015

GJM/SAR-J-17.8.2015
2P/6C