



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

Tuesday, the Twenty First day of July Two Thousand Fifteen  
PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.12753 of 2015

WEB COPY

1 SIVANESH KUMAR  
2 KOTTAI @ KOTTAI MUNIYASAMY  
3 SELVA MUNIYASAMY  
4 SETHALAKSHMI

... PETITIONERS/ACCUSED Nos.1 TO 4

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, TUTICORIN,  
TUTICORIN DT,  
CRIME NO.13/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.ANANDAKUMAR Advocate  
For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate ( Crl. Side)

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 4 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 313, 498(A) of I.P.C. in Crime No.13 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the defacto complainant, she married the first accused on 27.07.2013 and at that time, she was provided with two sovereigns of gold jewels and Rs.10,000/- as dowry and thereafter, the accused have demanded 10 sovereigns of gold jewels and Rs.20,000/- as additional dowry and harassed her.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and it is further submitted that the defacto complainant belong to muslim community and she insisted the first petitioner to embrace islam faith, for which, the first petitioner gave a complaint to the respondent on 19.04.2014 and also to the Superintendent of Police and the first petitioner has also approached the Jamath to settle the dispute, while so, the defacto complainant has filed a false complaint against the petitioners.

4. The learned Government Advocate(Crl. Side) submitted that when the defacto complainant was pregnant, all the accused have harassed her, which caused miscarriage.

5. The Mediation and Conciliation Centre sent a report, dated 20.07.2015 stating that the first petitioner has appeared before the Mediation Centre on 14.07.2015 and 20.07.2015 as per the direction of this Court on 08.07.2015, but the defacto complainant did not turn up.



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 Judicial Magistrate No.I, Tuticorin and on executing a separate 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 petitioners 2 to 4 shall appear before the respondent police as and when required for interrogation. 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/-  
21/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,  
TUTICORIN.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE  
TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, TUTICORIN,  
TUTICORIN DT.

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

+1. CC to M/S.N.ANANDAKUMAR Advocate SR.No.40536

ORDER  
IN  
CRL OP(MD) No.12753 of 2015  
Date :21/07/2015

PA/SJW/23.07.2015/2P/6C