



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twelfth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18571 of 2015

WEB COPY

1. THANGAPUSHPAM
2. POOTHANGAM
3. CHITHIRAIVEL

... PETITIONERS/ACCUSED No.2 to4

Vs

THE INSEPECTOR OF POLICE
ALL WOMEN POLICE STATION
THIRUMANGALAM,
MADURAI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.RAVI Advocate

For Respondent : MS.S.PRABHA, 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 A2 to A4, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406 and 506(i) of I.P.C., in Crime No.104 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, the marriage between the first accused and the de-facto complainant was solemnised on 04.12.2013 and at the time of marriage, she was provided with 25 sovereigns of gold jewels and household articles worth Rs.2 lakhs and from the very next day of the marriage, all the accused have harassed the de-facto complainant both physically and mentally by demanding more dowry. It is further alleged that the first accused fall in love with one girl and he was leading a life with her and when this was informed to the second accused, she never contemned the act and at the instigation of the other accused, the de-facto complainant was tortured by the first accused.



3. The learned counsel for the petitioners submitted that the first accused is a diploma holder, while the de-facto complainant has obtained post graduate degree and both of them were working in the State of Kerala and due to misunderstanding, the de-facto complainant left the matrimonial home. It is further submitted that the de-facto complainant lodged a complaint in All Women Police Station, Thalavaipuram Police Station on 18.09.2015 against four accused, which is registered in C.S.R.No.268 of 2015 and when the petition enquiry was pending, she gave a second complaint before the All Women Police Station on 21.09.2015 implicating totally 8 accused in this case. It is further submitted that A5 and A6 are residing in Canada and A7 and A8 are residing in USA and all the accused have been roped in this case with an ulterior motive.

4. Per contra, the learned counsel for the intervenor reiterated the allegations made in the complaint and objected the grant of bail to the petitioner.

5. Heard the learned Government Advocate (Crl.sid).

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 their arrest or on their appearance before the learned Judicial Magistrate, Thirumangalam and on each of them executing a own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 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/-
12/10/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMANGALAM,
MADURAI DISTRICT.
- 2 THE JUDICIAL MAGISTRATE
THIRUMANGALAM, MADURAI
- 3 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADRAS HIGH COURT OF MADURAI BENCH,
MADURAI.

+1. CC to M/S S.RAVI Advocate SR.No.60658.

SH/AMF/SAR-II:14.10.15/3P-6C

ORDER
IN
CRL OP(MD) No.18571 of 2015
Date :12/10/2015