



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

Wednesday, the Twentieth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22818 of 2015

1 KARUPPANA GOUNDER
2 VELLAITHAI
3 MALAR
4 SULOCHANA
5 THILAGAVATHI
6 RAMAKRISHNAN

... PETITIONERS / ACCUSED 1 to 6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
AWPS, ODDANCHATHIRAM,
DINDIGUL DISTRICT,
CR NO.16 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S T.LENIN KUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

For Intervenor : MR.C.SUSIKUMAR,

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A6 in Crime No.16 of 2015 on the file of the respondent police apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498 (A), 120-B, 294(b), 323, 354 and 506(i) of I.P.C., and Section 4 of Dowry Prohibition Act, and hence, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant married the son of the first petitioner on 02.06.2012 and at the time of marriage, the parents of the de-facto complainant gave 10 sovereigns of gold jewels and a sum of Rs.50,000/- to the de-facto complainant. On 10.01.2015, the husband of the de-facto complainant died in an accident. After the death of her husband, the petitioners forcibly took all the jewels and demanded further amount as dowry. The petitioners also insisted the de-facto complainant to execute a release deed giving her right over the property in which, her husband has a right of share and threatened her with dire consequences.

3.The case of the petitioners is that the petitioners are innocent. The first petitioner is the father-in-law, the petitioner Nos.3 to 5 are the sister-in-law, and the sixth petitioner is the brother-in-law of the de-facto complainant. After the death of her husband, the de-facto



complainant insisted the partition of the property. The petitioners informed the de-facto complainant to wait for some time. The de-facto complainant already filed a suit in O.S.No.509 of 2015 on the file of the Sub-Court, Palani for partition and the same is pending. Whiles, she gave a false complaint against the petitioners and the case has been registered against them.

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

5. The learned counsel for the petitioners and the learned counsel for the intervenor submitted that on various dates, the first petitioner and the de-facto complainant were presented before this Court and informed that there is no settlement between them.

6. Considering the facts and circumstances of the case and also considering the facts that the de-facto complainant filed a suit in O.S.No.509 of 2015 on the file of the Sub-Court, Palani for partition and the same is pending, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Oddanchathiram 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 petitioner 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.

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/-
20/01/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ODDANCHATHIRAM
2 DO THRO THE CHEIF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
3 THE INSPECTOR OF POLICE, AWPS, ODDANCHATHIRAM, DINDIGUL DISTRICT,
4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S T.LENIN KUMAR Advocate SR.No.3244
+1CC to Mr.C.SUSIKUMAR, Advocate, SR.No. 3237

ORDER
IN
CRL OP(MD) No.22818 of 2015
Date : 20/01/2016