



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

Monday, the Eleventh day of July Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI
CRL OP(MD) No.10934 of 2016

WEB COPY

1 ANWARLAL
2 AMEER JOHN
3 ANSAR BEEBI
4 AHAMED LAL
5 AZIMA BEEBI

... PETITIONERS/ACCUSED 1 to 5

Vs

STATE, BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT.
(CRIME NO. 15 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S N.SHANMUGASELVAM Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

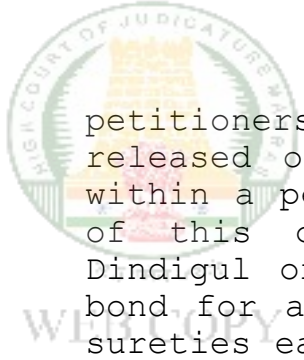
The petitioners, who are arrayed as accused nos. 1 to 5 apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A), 323, 109 and 506(i) of IPC r/w. Section 4 of Tamil Nadu Women Harassment Act in Crime No.15 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the petitioners alleged to have demanded additional dowry from the defacto complainant and also harassed her both mentally and cruelly. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that first petitioner has filed O.S.No.103 of 2016 on the file of the Principal District Munsif, Karur, to declare the marriage as null and void and prays for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl. Side) submits that it is a matrimonial dispute and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that O.S.No.103 of 2016 filed by the petitioner was pending, I am inclined to grant anticipatory bail to the



petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Dindigul on condition that each of the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the first petitioner shall report before the respondent police daily at 10.00 am until further orders and the petitioners 2 to 5 shall appear before the respondent Police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
11/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1 CC to Mr.N.SHANMUGA SELVAM, Advocate, SR No.35492

ORDER IN
CRL OP(MD) No.10934 of 2016
Date :11/07/2016

trp