



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11466 of 2016

1 CHELLAMMAL
2 SUDALAIVADIVU
3 JEYAMURUGAN

..PETITIONERS/ACCUSED 2 TO 4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM,
TUTICORIN DISTRICT.
(CRIME NO. 17 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S P.BANUPRASATH 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 :-

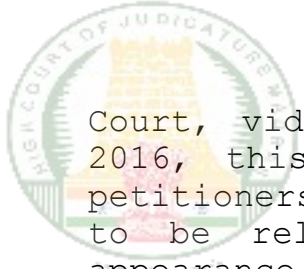
The petitioners, who are arrayed as Accused Nos.2 to 4 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A), 506(ii) IPC and Section 4 of Dowry Prohibition Act, in Crime No.17 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the de facto complainant and this petitioner was solemnized on 12.02.2016. After the marriage, the accused persons harassed the de facto complainant by demanding more dowry. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are only in-laws of the de facto complainant. The second petitioner is working as a Nursing Staff in Primary Health Centre and the third petitioner is working as a Supervisor in Panchayat Development Office at Ottapidaram. A.1 was granted anticipatory bail by this Court, vide order dated 12.07.2016 made in Crl.O.P(MD)No.11373 of 2016.

4.The learned Government Advocate (Criminal side) submitted that the petitioners and other accused demanded additional dowry and tortured the de facto complainant.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are only in-laws of the de facto complainant and A.1 was granted anticipatory bail by this



Court, vide order dated 12.07.2016 made in Crl.O.P(MD)No.11373 of 2016, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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, Srivaigundam, on condition that each of the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the third petitioner shall report before the respondent Police every Saturday and Sunday at 10.30 a.m. until further orders and the petitioners 1 and 2 shall report before the respondent police as and when required for interrogation.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the third petitioner is complying with the conditions or not.

sd/-
13/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,THOOTHUKUDI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, SRIVAIKUNDAM, TUTICORIN DISTRICT.

+1. CC to M/S P.BANUPRASATH Advocate SR.No.36261

ORDER IN

CRL OP(MD) No.11466 of 2016

Date :13/07/2016