



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

Friday, the Fifteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11799 of 2016

1 MUTHULAKSHMI

2 R.BALAKRISHNAN

3 RAJESWARI

4 SHANMUGASUNDARAM

5 BALASARASWATHI

... PETITIONER / ACCUSED NO.2 TO 6

Vs

STATE REB.BY

THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION,

SRIVAICKUNDAM, THOOTHUKUDI DISTRICT.

(CRIME NO.5 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S A.ROBINSON Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

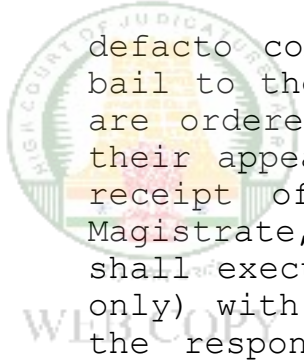
The petitioners, who are arrayed as Accused Nos.2 to 6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A), 506(i) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.5 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the de facto complainant and A.1 was solemnized in the year 2007. After the marriage, the accused persons harassed the de facto complainant by demanding more dowry and abused the defacto complainant in filthy language and threatened her that she fails to bring the additional dowry, they will arrange marriage for A1 with another lady. 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 and the petitioners are in-laws of the defacto complainant. A1 was arrested and enlarged on bail.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that these petitioners and other accused demanded more dowry and tortured the defacto complainant.

5.Considering the facts and circumstances of the case and also considering the fact that these petitioners are in-laws of the



defacto complainant, 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, Srivaikundam, 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 petitioners shall report before the respondent Police as and when required.
- (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]**.

sd/-
15/07/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S A.ROBINSON Advocate SR.No.36765

ORDER
IN
CRL OP(MD) No.11799 of 2016
Date :15/07/2016