



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

Thursday, the Twenty First day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.12248 of 2016

WEB COPY

1 M.ANANDARAJ
2 MICHAEL RAJ
3 MICHAEL AMMAL
4 SHANMUGARAJ
5 SEENI
6 KALAIVANI

... PETITIONERS/ACCUSED NO.1 TO 6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.
(CRIME NO. 13 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.MICHAEL BHARATHI Advocate
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

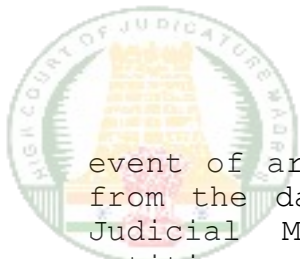
The petitioners, who are arrayed as accused Nos. 1 to 6, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A) and 109 of IPC, Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.13 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 the 1st petitioner was solemnized 13 years back and out of their wedlock, they were blessed with two children namely, Nandhini and Naveen Kumar. The husband / 1st petitioner used to consume alcohol daily and failed take care of the wife and children and he is having intimacy with the 6th petitioner. The petitioners demanded 10 sovereigns as additional dowry and tortured the de facto complainant and therefore, the de facto complainant gave the present complaint.

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 they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.

4.It is submitted by the learned Government Advocate (Crl.Side) that the petitioners demanded more dowry and harassed the de facto complainant.

5.Considering the facts and circumstances of the case, 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 No.I, Sattur, 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 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 1, 2, 4, 5 shall report before the respondent Police daily at 10.30 a.m. until further orders and the petitioners 3 and 6 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]**.

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 petitioners are complying with the conditions or not.

sd/-

21/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.1,
SATTUR.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.MICHAEL BHARATHI Advocate SR.No.38642

ORDER IN

CRL OP(MD) No.12248 of 2016

Date :21/07/2016