



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

Wednesday, the Twenty Seventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12892 of 2016

WEB COPY

1 CHANDRA
2 CHANDANAKUMAR
3 NADIYA
4 MADHAVAN

... PETITIONERS/ACCUSED A2 TO 5

Vs

STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
SRIVAIKUNDAM,THOOTHUKUDI DISTRICT.
CRIME NO.4 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.MANDHIRA LINGESWARAN 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 :-

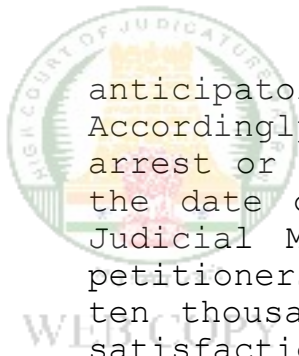
The petitioners, who are arrayed as Accused Nos.2 to 5, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498-A, 406 and 506(ii) IPC and Section 4 of Tamil Nadu Dowry Prohibition Act in Crime No.4 of 2016 on the file of the respondent police and 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 demanding more dowry and tortured her. 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.

4.It is submitted by the learned Government Advocate (Crl.Side) that the petitioners are in-laws of the de facto complainant and the first accused, who is the husband of the de facto complainant, was already arrested and enlarged on bail.

5.Considering the facts and circumstances of the case and also considering the nature of allegations levelled against the petitioners and also considering the fact that the 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, Srivaikuntam, 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 appear 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 petitioners are complying with the conditions or not.

sd/-
27/07/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S S.MANDHIRA LINGESWARAN Advocate SR.No.39794

ORDER
IN
CRL OP(MD) No.12892 of 2016
Date :27/07/2016