



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

Wednesday, the Third day of August Two Thousand Sixteen

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PRESENT

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

CRL OP(MD) No.12991 of 2016

1 VINOTH KUSMAR

2 MEENAL

3 GOPINATH

... PETITIONER/A1, A2 and A4

Vs

THE STATE REP. BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, ARUPPUKOTTAI,

VIRUDHUNAGAR DISTRICT.

CR. NO.6/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.S.RAJESWARI Advocate

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

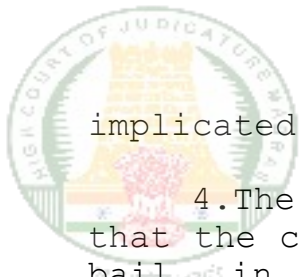
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1,2 and 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 and 506(ii) of IPC r/w Section 4 of Dowry Prohibition Act, in Crime No.6 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 A1 was solemnized on 10.03.2013. After the marriage, the accused persons harassed the de facto complainant demanding additional dowry and threatened that if she fails to bring additional dowry, they will kill 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. After the marriage, both the first petitioner and the defacto complainant were living together at Chennai and at the request of the defacto complainant, the first petitioner left his job at chennai and shifted the residence to Palayamkottai and settled there. At no point of time the petitioners did not demand additional dowry from the defacto complainant. They were falsely



implicated in this case.

4.The learned Government Advocate (Criminal side) submitted that the co-accused A3 and A5 were already arrested and enlarged on bail, in Cr.M.P.No.4249 of 2016 on 20.06.2016 by the learned Judicial Magistrate, Aruppukkottai.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused were already enlarged on bail, 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, Aruppukkottai, 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 second petitioner shall report before the respondent Police as and when required for interrogation and the other petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.
- (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/-  
03/08/2016

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



TO

1 THE JUDICIAL MAGISTRATE  
ARUPPUKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE  
VIRUTHUNAGAR DISTRICT

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

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

+1. CC to M/S A.S.RAJESWARI Advocate SR.No.42028

ORDER

IN

CRL OP(MD) No.12991 of 2016

Date :03/08/2016

PJL

SH/ARK-PV/SAR-III:11.08.2016:3P/6C