



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

Tuesday, the Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13279 of 2016

1 PALANIKUMAR
2 MARIMUTHU
3 SUBBULAKSHMI
4 TAMILSELVI

... PETITIONERS/ACCUSED No.1-4

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SATTUR,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 16 OF 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S M.SOLAISAMY, 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 :-

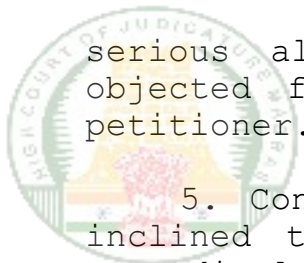
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A), 406, 506(i) of IPC r/w. Section 4 of Dowry Prohibition Act in Crime No.16 of 2016, on the file of the respondent Police seek anticipatory bail.

2. The case of the prosecution is that the petitioners are demanding additional dowry from the defacto complainant and harassed her both mentally and cruelly and on complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that due to the quarrel, defacto complainant left the matrimonial home and first petitioner filed HMOP.No.147 of 2016 before the Sub Court, Sivakasi and on receiving notice, she has given a false complaint.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Government Advocate (Crl. Side) submitted that



serious allegations are made against the first petitioner and objected for granting anticipatory bail in favour of the first petitioner.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners 2 to 4. Accordingly, the petitioners 2 to 4 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 / 2 to 4 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners 2 to 4 shall report before the respondent police daily at 10.00 am for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 2 to 4 shall not abscond either during investigation or trial.

[d] 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 2 to 4 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].

Considering the serious nature of allegations levelled against the first petitioner, this petition is dismissed against the first petitioner.

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 2 to 4 are complying with the condition or not.

sd/-
02/08/2016

/ 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. 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.SOLAISAMY Advocate SR.No. 41764

ORDER
IN
CRL OP(MD) No.13279 of 2016
Date :02/08/2016

TRP
TE/NGM-MP/SAR-III : 05/08/2016 : 3P/6C