



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

Monday, the Twenty Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15375 of 2016

1 RAJASEKARAN
2 RADHAKRISHNAN
3 RENUKA
4 KAVITHA

..PETITIONERS/ACCUSED 1 to 4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THENI.

CR. NO.23/2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.UTHAYA KUMAR 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, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A), 506(i) of IPC and Section 4 of Dowry Prohibition Act, 1961 in Crime No.23 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized in the year 2013 and one male children was born in the wedlock. Due to misunderstanding between the first petitioner and the defacto complainant, the petitioners demanded a sum of Rs.5,00,000/- as additional dowry and she was driven out from the matrimonial home. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the first petitioner is working in Hariyana and the petitioners 2 and 3 are in laws and the 4th petitioner is the elder sister of the first petitioner. He further 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.



4. The learned Government Advocate (Crl. Side) submitted that the investigation of the case is pending.

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, Theni 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 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 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 / A1, this Criminal Original Petition 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/-

22/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THENI.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, THENI.

+1. CC to M/S.A.UTHAYA KUMAR Advocate SR.No.46321

ORDER IN

CRL OP(MD) No.15375 of 2016

Date :22/08/2016