



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

Monday, the Twenty Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15629 of 2016

1 BABU
2 K. PARAMAN @ SEKAR
3 JOTHIMANI
4 YAMUNADEVI

... PETITIONERS/ACCUSED No.1 to 4

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPARANKUNTRAM,
MADURAI - 5
CRIME NO. 1 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S V.RAJIV RUFUS 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 4, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A) and 406 IPC, in Crime No.1 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 on 08.09.2014. The de facto complainant went to her parental home for delivery and on 11.08.2015, she gave birth to a female child. In the mean time, the petitioners demanded additional dowry from the de facto complainant. Hence, she lodged the present complaint against the petitioners.

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 a false complaint has been given against the petitioners and prays for anticipatory bail in favour of the petitioners.

4.It is submitted by the learned Government Advocate (Crl.Side) that the 1st petitioner is the husband and the petitioners 2 to 4 are in laws of the de facto complainant. The 1st petitioner / husband of the de facto complainant filed H.M.O.P.No.18 of 2016 before the

Family Court, Madurai for divorce.

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.VI, Madurai, 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 1st petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders and the petitioners 2 to 4 shall appear 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/-

29/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPARANKUNTRAM,
MADURAI - 5
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S V.RAJIV RUFUS Advocate SR.No.47665

ORDER IN

CRL OP(MD) No.15629 of 2016

Date :29/08/2016