



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

Wednesday, the Thirty First day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.16217 of 2016

1 C.RAMARAJ

2 R.PADMAVATHI

... PETITIONERS / ACCUSED No.2 & 3

Vs

STATE THROUGH BY
THE INSPECTOR OF POLICE
KODAIKANAL ALL WOMEN POLICE STATION,
DINDIGUL DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU 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 apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A) of IPC and Section 4 of Dowry Prohibition Act in Crime No.5 of 2016, seek anticipatory bail.

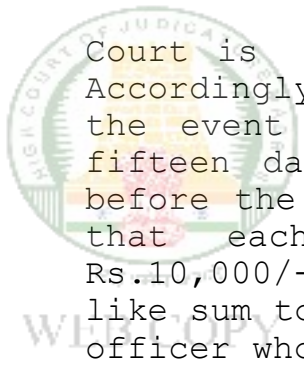
2. The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized in the year 2010 and out of the wedlock, one female child was born and thereafter, A1 and petitioners joint together and harassed the defacto complainant by demanding additional dowry of 10 Sovereigns of gold jewels and Rs.10,000/- cash. 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. He further submitted that the petitioners are only in laws of the defacto complainant and their names have been falsely implicated in this case and prays for granting anticipatory bail in favour of the petitioners.

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

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

5. Considering the facts and circumstances of the case, this



Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners 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, Kodaikanal and 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 shall report before the respondent police as and when required for interrogation.

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

[c] the petitioners 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 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 condition or not.

sd/-

31/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KODAIKANAL
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT
- 3 THE INSPECTOR OF POLICE, KODAIKANAL ALL WOMEN POLICE STATION,
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.48974

ORDER

IN

CRL OP(MD) No.16217 of 2016

Date :31/08/2016