



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

Thursday, the First day of September Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.16304 of 2016

1 VEERA BHARATHI,
2 VIJAYARAGHAVAN
3 VANJIKODI,

... PETITIONERS / ACCUSED 1 to 3

Vs

State rep.by
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SIVAKASI,
VIRUDHUNAGAR DISTRICT
CR. NO. 7 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RAJA PRABU 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 :-

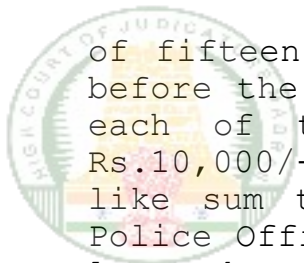
The petitioners, who are arrayed as Accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the offences punishable under Section 498 IPC and Section 4 of Dowry Prohibition Act in Crime No.7 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant and A.1 was solemnized on 15.09.2011. After the marriage, the accused persons harassed the defacto complainant demanding more dowry. On complaint case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. After marriage, due to misunderstanding, the first petitioner and defacto complainant lived separately. Subsequently, the first petitioner filed a petition for divorce and the defacto complainant has also filed a petition for restitution of conjugal rights. Without settling the dispute, in order to harass the petitioners, they have been falsely implicated in this case.

4.The learned Government Advocate (Criminal side) submitted that the investigation is pending.

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, Sivakasi, 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 first petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders and the petitioners 2 and 3 shall report 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/-

01/09/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAKASI
 - 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
 - 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SIVAKASI,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.RAJA PRABU Advocate SR.No.49176

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ORDER

IN

CRL OP(MD) No.16304 of 2016

Date :01/09/2016