



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

Thursday, the Twenty Third day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.3804 of 2016

1 V.KANNAN
2 C.VEERAMANI
3 V.KANTHAMANI
4 V.SHANMUGASUNDARAM
5 V.CHITHRA
6 S.SUBRAMANI

... PETITIONERS/ACCUSED No.1 to 6

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VADAMADURAI, DINDIGUL DISTRICT,
CR.NO.3 OF 2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S R.MATHIYALAGAN Advocate

For Respondent : Mr.P.Kannithevan, Govt. Advocate (Crl. Side)

For Intervenor : Mr.D.Selvaraj, Advocate

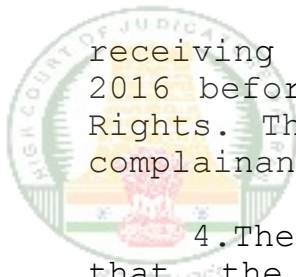
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.3 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 first petitioner was solemnized on 09.09.2003. After the marriage, the accused persons harassed the de facto complainant demanding more dowry. On complaint, case has been registered for the above said offences.

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. The first petitioner filed H.M.O.P.No.104 of 2015 before the Subordinate Court, Chidambaram, for divorce and on



receiving summons, the defacto complainant filed H.M.O.P.No.8 of 2016 before the Sub Court, Vendasandur for Restitution of Conjugal Rights. The petitioners did not demand any dowry from the defacto complainant.

4.The learned Government Advocate (Criminal side) submitted that the petitioners demanded more dowry from the defacto complainant and tortured her.

5.Considering the facts and circumstances of the case and also considering the fact that both the first petitioner and the defacto complainant filed H.M.O.Ps., 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, Vendasandur, 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 first petitioner shall report before the respondent Police every Saturday and Sunday at 10.30 a.m. until further orders and petitioners 2 to 6 shall report before the respondent police as and when required for interrogation.
- (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/-
23/06/2016

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE, VEDASANDUR.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, VADAMADURAI,
DINDIGUL DISTRICT.

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

+1. CC to M/S R.MATHIYALAGAN Advocate SR.No.32471

AM

JM/GSV-PM/SAR-III/28.06.2016/3P-6C

ORDER

IN

CRL OP(MD) No.3804 of 2016

Date :23/06/2016