



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

Friday, the Fourth day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH
CRL OP(MD) No.3888 of 2016

WEB COPY

1 ARUMUGAM
2 DEIVANAI
3 RAMESH
4 POONGODI

... PETITIONERS/ACCUSED NO. 2 TO 5

Vs

1 STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SATTUR,VIRUDHUNAGAR DISTRICT.

(CRIME NO. 04 OF 2016) ...RESPONDENT/COMPLAINANT

2 SIVARANJANI ... RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : M/S M.SOLAISAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A), 506(i) I.P.C., r/w Section 4 of Dowry Prohibition Act, in Crime No.4 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.M.Solaisamy, learned counsel appearing for the petitioners / accused 2 to 5 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is the case of the prosecution that one Arunpandi got married to the *de facto* complainant on 16.07.2014 and it was a love marriage. Thereafter, their matrimonial life ran into rough weather, resulting in the *de facto* complainant lodging the present complaint against her husband Arunpandi and his family members.

4. Taking into consideration the nature of allegations made against the petitioners / accused 2 to 5, this Court is of the view that this is a fit case to grant anticipatory bail to them. 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.I, Sattur** on condition that each of the petitioners / accused 2 to 5 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 petitioners / accused 2 to 5 shall report before the respondent Police as and when required for interrogation.



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(ii) the petitioners / accused 2 to 5 shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners / accused 2 to 5 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 / accused 2 to 5 in accordance with law as if the conditions have been imposed and the petitioners / accused 2 to 5 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]**.

5. 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/-

04/03/2016

(*)AMENDED AS PER THE ORDER OF THIS COURT HON'BLE COURT DATED 21/3/2016 AND MADE IN CRL.MP(MD)NO.2438/16 IN CRL.OP(MD)NO.3888/2016

Sd/-

21/03/2016

THE TIME FOR SURRENDER IS EXTENDED BY TWO WEEKS FROM THE DATE OF RECEIPT OF A AMENDED COPY OF THIS ORDER.

/ TRUE COPY /

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

TO

(*)1 THE JUDICIAL MAGISTRATE NO.I, SATTUR

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE JUDICIAL MAGISTRATE NO.VI,MADURAI

4 THE CHIEF JUDICIAL MAGISTRATE,MADURAI

5 THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,
SATTUR,VIRUDHUNAGAR DISTRICT.

6 THE ADDL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.SOLAISAMY Advocate SR.No.15868

ORDER

IN

CRL OP(MD) No.3888 of 2016

Date :04/03/2016