



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

Wednesday, the First day of June Two Thousand Sixteen

PRESENT

WEB COPY

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

CRL OP(MD) No.6132 of 2016

1 S. OYYA THEVAN
2 S. SAKKARAI THEVAR
3 PANJAVARNAM
4 PANDIAMMAL

... PETITIONER/ACCUSED(RANK NOT KNOWN)

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAKASI WEST,
VIRUDHUNAGAR DISTRICT,
CR NO. 8 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.R.THAMOTHAR RAJ Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

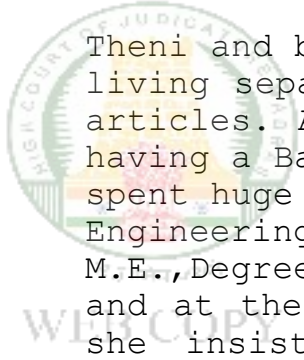
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER:The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 406 I.P.C., r/w Section 4 of Dowry Prohibition Act,1961, in Crime No.8 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 12.09.2012 and the petitioners demanded dowry from the de-facto complainant and her parents and harassed the de-facto complainant. On her complaint, the 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 is working as a Lecturer in Private Engineering College, at Theni. After the marriage, the family members of the petitioners have set up a separate house at



Theni and both the first petitioner and the defacto complainant were living separately. First petitioner has purchased all the household articles. At the time of the marriage, the de-facto complainant is having a Bachelor Degree in Engineering and the first petitioner has spent huge amount and admitted the de-facto complainant in a Private Engineering College at Andipatti, Theni District, for pursuing M.E., Degree. The de-facto complainant also completed her M.E. Degree and at the instigation of the parents of the de-facto complainant, she insisted the first petitioner to shift their residence to Sivakasi and to get a job at any of the Engineering Colleges, in and around Sivakasi. The first petitioner refused to go to Sivakasi. On 30.11.2015, the first petitioner met with electrical shock and fire in his body and sustained 35% electrical burn injuries and he was admitted in Government Medical College Hospital, at Theni, by the neighbours and the de-facto complainant and she did not take care of the first petitioner. At that time, the de-facto complainant and her parents entered into the first petitioner's house and took away 35 sovereigns of gold jewels and all the household articles from the house. The first petitioner lodged a complaint on 03.02.2016 to the Inspector of Police, Palanichettipatty Police Station, Theni, against the de-facto complainant and her parents and the first petitioner also sent a legal notice to the de-facto complainant for restitution of conjugal rights on 18.02.2016. After receiving the notice, the de-facto complainant has given a false complaint. Hence, the petitioners pray for anticipatory bail.

4. The learned Government Advocate(Crl.Side) submitted that the petitioners have demanded more dowry from the de-facto complainant and her parents and also harassed her and on her complaint, case has been registered and the investigation is pending.

5. Considering the facts and circumstances of the case that the first petitioner is already lodged a complaint against the de-facto complainant and issued a notice for restitution of conjugal rights and he is working as Lecturer in Private Engineering College, at Theni and other petitioners are in-laws, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sivakasi, Virudhunagar District and on each of them executing 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 learned Magistrate concerned and on further condition that the first petitioner is directed to appear before the Inspector of Police, Palanichettipatty Police Station, Theni District, daily at 6.00 p.m., until further orders and the petitioners 2 to 4 are directed appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



made ready, failing which, the petition for anticipatory bail stands dismissed.

01/06/2016

/ TRUE COPY /

WEB COPY

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

TO

- 1 THE JUDICIAL MAGISTRATE SIVAKASI, VIRUDHUNAGAR DISTRICT,
AT SRIVILLIPUTHUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT. AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE ALL WOMEN POLICE STATION,
SIVAKASI WEST, VIRUDHUNAGAR DISTRICT, AT SRIVILLIPUTHUR
- 4 THE INSPECTOR OF POLICE, PALANICHETTY POLICE STATION,
THENI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.R.THAMOTHAR RAJ Advocate SR.No.27264

ORDER
IN
CRL OP(MD) No.6132 of 2016
Date:01/06/2016

SDR/GSV-PM/SAR III/06.06.2016/3P/7C