



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

Tuesday, the Seventh day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.7382 of 2016

1 M.GURUNATHAN
2 ANDAL
3 MAHESWARAN
4 JAYAPRAKASH
5 J.PONNUTHAI

... PETITIONERS/ACCUSED (RANK NOT KNOWN)

Vs

STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SATTUR
VIRUDHUNAGAR DISTRICT
CR.NO.8 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SOLAISAMY 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 the alleged offences punishable under Section 498(A) and 406 of IPC r/w. Section 4 of Dowry Prohibition Act, in Crime No.8 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and defacto complainant was solemnized on 28.10.2012. At the time of marriage, the parents of the defacto complainant gave 13 sovereigns of gold jewels to defacto complainant and 2 ½ sovereigns to first accused and a sum of Rs.1,50,000/- as dowry. The father of the defacto complainant gave a sum of Rs.40,000/- for marriage expenses. Al pledged the jewels. Due to that dispute arose and accused persons demanded further dowry. On complaint, case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that first petitioner filed HMOP.No.296 of 2015 for restitution of conjugal



rights, before the Sub Court, Sivakasi. After receiving the summons, the defacto complainant has given a false complaint against the petitioners. He further contended that this Court has already granted interim anticipatory bail to the petitioner on 28.04.2016.

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

5. Considering the facts and circumstances of the case and also considering the fact that the HMOP.No.296 of 2015 filed by the first petitioner for restitution of conjugal rights is pending, 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 his appearance before the learned Judicial Magistrate-I, Sattur 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 shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioners 2 to 5 shall 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.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
07/06/2016

/ 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 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SOLAISAMY Advocate SR.No.29141

ORDER
IN
CRL OP(MD) No.7382 of 2016
Date : 07/06/2016