



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

Friday, the Third day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.7455 of 2016

1 B.KARTHIKEYAN
2 V.BALAKRISHNAN
3 B.SHANTHAKUMARI
4 PREMALATHA
5 V.RAJENDRAN

... PETITIONERS/ACCUSED No.1 to 5

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
FORT RANGE,
TIRUCHIRAPPALLI,
CRIME NUMBER 14/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.DEEPAK Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

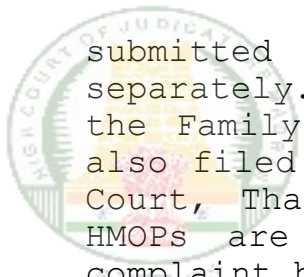
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 5, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 323, 294(B), 506 (ii) of IPC r/w. Section 4 of Dowry Prohibition Act, in Crime No.14 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife and other petitioners are in laws of the defacto complainant. Due to dispute, the first petitioner and defacto complainant are living separately. The petitioners demanded additional dowry and ill treated the defacto complainant. On her complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further



submitted that due to difference of opinion both are living separately. The first petitioner filed HMOP.No.714 of 2014, before the Family Court, Trichy, for divorce and the defacto complainant also filed HMOP.No.138 of 2015 on the file of Principal Subordinate Court, Thanjavur for restitution of Conjugal rights and both the HMOPs are pending and only to harass the petitioners a false complaint has been given against the petitioners.

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4. Heard the learned Government Advocate (Crl.Side).

5.Considering the facts and circumstances of the case and also considering the fact that both the HMOPs filed by the first petitioner and the defacto complainant are 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 their appearance before the learned Judicial Magistrate-I, Thiruchirappalli 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 / A1 shall appear before the respondent police daily at 10.00 a.m., until further orders and the other petitioners / A2 to A5 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/-
03/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.1, THIRUCHIRAPPALLI.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, THIRUCHIRAPPALLI.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
FORT RANGE, TIRUCHIRAPPALLI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S C.DEEPAK Advocate SR.No.27719

trp
JM/GSV-PM/SAR-I/09.06.2016/2P-6C