



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

Thursday, the Sixteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.7517 of 2016

1 M. RAJENDRAN
2 R. VIJAYALAKSHMI
3 R. JEGATHEESH KUMAR
4 P. PONNUSAMY @ RAMASAMY GOUNDER ... PETITIONERS / ACCUSED
RANK NOT KNOWN

..VS..

KIRUTHIKA ... PETITIONER/NIL/DEFACTO
COMPLAINANT/INTERVENER

THE STATE REP.BY INSPECOR OF POLICE
ALL WOMEN POLICE STATION,
KARUR, KARUR DISTRICT,
CRIME NO. 3 OF 2016. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.HARIHARAN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

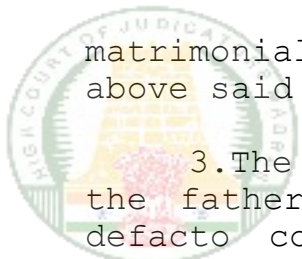
For Intervener : MR.S.GOKULRAJ, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 294(B), 323, 406 and 506(i) of IPC and Section 4 of Dowry Prohibition 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 defacto complainant and A1 was solemnized on 08.06.2014. At the time of marriage, the petitioners and A1 demanded a sum of Rs.4,00,000/- and 75 sovereigns of gold jewels. The father of the defacto complainant gave a sum Rs.1,00,000/- and 50 sovereigns of gold jewels and household articles worth Rs.70,000/-. After the marriage, the defacto complainant and A1 demanded more dowry and tortured the defacto complainant. Even 20 days after the marriage, the petitioners attacked the father of the defacto complainant and abused him and thrown out the defacto complainant from the



matrimonial home. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the first petitioner is the father-in-law, second petitioner is the mother-in-law of the defacto complainant, third petitioner is the son of the first petitioner and the fourth petitioner is the father-in-law of the first petitioner. The petitioners 1 & 4 are senior citizens. The third petitioner is working in I.T.Company at Malaysia. After the marriage, the defacto complainant and A1 were living separately in Malaysia and the petitioners were living separately and they are nothing to do with the alleged offence. Due to the dispute, A1 filed H.M.O.P.No.30 of 2016 before the Additional Subordinate Court, Karur, for divorce. Only to harass the petitioners, the defacto complainant has given a false complaint against the petitioners.

4.The learned counsel for the intervenor submitted that the first petitioner with an intention to arrange the marriage to the first accused with her sister's daughter, demanded dowry and tortured the defacto complainant. If the petitioners are granted anticipatory bail, they will tamper the witnesses and hamper the investigation.

5.Considering the facts and circumstances of the case and also considering the fact that A1 and the defacto complainant were living together in Malaysia and the petitioners are in-laws and they were living separately, 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 No.I, Karur 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 petitioners shall appear before the respondent police as and when required. 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/-
16/06/2016

/ TRUE COPY /

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



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TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KARUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
KARUR, KARUR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.K.HARIHARAN Advocate SR.No.30923
+1CC TO MR.S.GOKULRAJ, Advocate SR.NO.30917

GJM/ARK/PV/SAR-I-20.6.16-2P-7C

ORDER
IN
CRL OP(MD) No.7517 of 2016
Date :16/06/2016