



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

Monday, the Eighteenth day of January Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.782 of 2016

1 O. VINOTH

2 O. PITCHAIMMAL

..PETITIONERS/ACCUSED NOS.1 AND 2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

USILAMPATTI,

ALL WOMEN POLICE STATION, (AWPS)

MADURAI DISTRICT,

CR NO. 71 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S J.LAWRANCE 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 & 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 294(b), 406, 420 and 506(i) of IPC and Section 4 of Tamil Nadu Dowry Prohibition Act, in Crime No.71 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized on 07.09.2014. At the time of marriage, the parents of the defacto complainant has given 10 sovereigns of gold jewels and after the marriage, the petitioners tortured the defacto complainant by demanding more dowry. The first petitioner used to take Alcohol and abused her in filthy language and treated her cruelly and unable to bare the humiliation, she left the matrimonial home. 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 defacto complainant filed H.M.O.P.No.536 of 2015 on the file of the Sub Court, Usilampatti and the petitioner has filed HMOP seeking restitution of conjugal rights.



5. Considering the facts and circumstances of the case, 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, Usilampatti 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 second petitioner 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/-
18/01/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
USILAMPATTI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
USILAMPATTI, ALL WOMEN POLICE STATION,
(AWPS) MADURAI DISTRICT.

+1. CC to M/S J.LAWRANCE Advocate SR.No.3261

akm/20.01.2016/ 2p- 6c/AAL/MPA/SAR-II

ORDER
IN
CRL OP(MD) No.782 of 2016
Date :18/01/2016