



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

Wednesday, the Twenty Seventh day of January Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.786 of 2016

1 KUMARESAN
2 CHELLATHAI
3 AYYANAR
4 SINGARAJ

... PETITIONERS/ACCUSED 1 TO 4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
BODINAICKANUR,
THENI DISTRICT.
CRIME NO. 2/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.KANAGARAJAN Advocate

For Respondent : MR.P.KANNI THEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

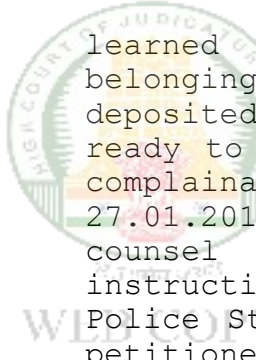
The petitioners, who are arrayed as Accused Nos.1 to 4 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 498-A of IPC and Section 4 of Dowry Prohibition Act, in Crime No.2 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized in the year 2012 and a male child was born in the wedlock. At the instigation of other petitioners, the first petitioner demanded more dowry from the defacto complainant and tortured her.

3. The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. Due to misunderstanding between the first petitioner and the defacto complainant, the defacto complainant left the matrimonial home. The petitioners never tortured the defacto complainant and never demanded dowry from the defacto complainant and she has given a false complaint against the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that after the marriage, the petitioners treated the defacto complainant cruelly and demanded more dowry from her parents and

5. When the matter was taken up for hearing on 25.01.2016, the



learned counsel for the petitioners submitted that all the jewels belonging to the defacto complainant are pledged with the Bank and deposited in the name of the first petitioner. The first petitioner is ready to redeem the said jewels and handed over the same to the defacto complainant and at his request, the matter was adjourned to today i.e, on 27.01.2016. Today, when the matter is taken up for hearing, the learned counsel for the petitioners and learned Government Advocate on instructions from Ms.Meena, Special Sub-Inspector of Police, All Women Police Station, Bodinaickanur, Theni District, submitted that the first petitioner redeemed the jewels and handed over the same to the defacto complainant.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Bodinaickanur, 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 report before the respondent police daily at 10 a.m. until further orders and the petitioners 2 to 4 shall report before the respondent police, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-

27/01/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE ,BODINAICKANUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, BODINAICKANUR, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.KANAGARAJAN Advocate SR.No.5315

ORDER

IN

CRL OP(MD) No.786 of 2016

Date :27/01/2016