



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

Wednesday, the Twenty Second day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9153 of 2016

D.C. SELVAKUMAR

... PETITIONER/ACCUSED 1

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
DINDIGUL,  
(CRIME NO.7 OF 2016)

... RESPONDENT/ COMPLAINANT

NAGAPRIYA

... INTERVENOR

For Petitioner : M/S.B.JAMEEL ARASU Advocate  
For Respondent : M/S.P.KANNITHEVAN,  
Government Advocate ( Crl. Side)  
For Intervenor : M/S.K.ASHOK KUMAR RAM, Advocate

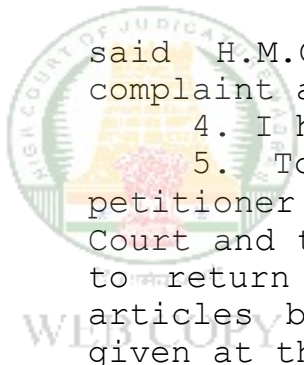
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 407 and 498(A) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.7 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 petitioner and the *de-facto* complainant was solemnized on 15.05.2013. After their marriage, the petitioner and other accused persons demanded additional dowry and tortured the *de-facto* complainant. On complaint, case has been registered for the offences stated above.

3. The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. Further, he is residing separately at Pune, for the purpose of his employment. Due to matrimonial dispute, the *de-facto* complainant left the matrimonial home and at that time, the gold jewels belonging to the *de-facto* complainant were handed over to her. The petitioner filed H.M.O.P.No.21 of 2016 on the file of Family Court, Trichy, for divorce. On receiving summons from the Court in the



said H.M.O.P., the *de-facto* complainant has given the false complaint against the petitioner.

4. I have heard the learned counsel appearing for the parties.

5. Today, when the matter is taken up for hearing, the petitioner and the *de-facto* complainant are present before this Court and the *de-facto* complainant submitted that the petitioner has to return 11 sovereigns of gold jewels and 3 K.Gs. of silver articles belonging to her and a sum of Rs.3,00,000/-, which was given at the time of her marriage by her parents.

6. Taking into consideration the nature of allegations made against the petitioner / A1, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner / A1. Accordingly, he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Dindigul, on condition that the petitioner / A1 shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner / A1 shall report before the respondent Police daily at 10.30 a.m., for two weeks and thereafter, as and when required for interrogation.
- (ii) the petitioner / A1 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / A1 shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / A1 in accordance with law as if the conditions have been imposed and the petitioner / A1 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

7. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-  
22/06/2016

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.II  
DINDIGUL

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
DINDIGUL DISTRICT

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

4. THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
DINDIGUL,

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.32506

RL/6C/3P/DB/SARII/24/6/2016

ORDER

IN

CRL OP (MD) No.9153 of 2016

Date :22/06/2016