



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

Monday, the Eleventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9592 of 2016

1 SARAVANA KUMARAN
2 MURUGESWARI

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THIRUKOKARNAM POLICE STATION,
THIRUKOKARNAM,
PUDUKOTTAI DISTRICT,
CRIME NO. 319 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.RAMU Advocate

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

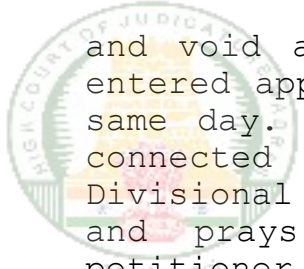
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused apprehend arrest at the hands of the respondent police for an alleged offence punishable under Section 174 of Cr.P.C @ 498(A) and 306 of IPC in Crime No.319 of 2015, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's daughter viz., Revathi, was married to the first petitioner and due to the torture by the petitioners, she committed suicide on 04.12.2015. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the first petitioner is the brother of second petitioner and the first petitioner is working as an Engineer and the second petitioner is working in private sector. He further submitted that the first petitioner by force was married to defacto complainant and the first petitioner was not interested with the marital life. He further contended that the deceased has given a false complaint before the All Women Police Station, Pudukkottai, under Section 4 of Dowry Prohibition Act. The first petitioner filed HMOP.No.258 of 2015 before the Sub Court, Pudukkottai, to declare the marriage as null



and void and the deceased on receiving summons, dated 04.12.2015 entered appearance through counsel and she committed suicide on the same day. He further contended that that petitioners are no way connected with the alleged occurrence. Further, the Revenue Divisional Officer enquiry also reveals that there is no dowry death and prays for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) filed status report and submitted that due to the torture and demand of additional dowry by the first petitioner, the defacto complainant's daughter committed suicide by consuming rat poison and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the report of the Revenue Divisional Officer that there is no dowry harassment and also the fact that the alleged occurrence took place on 04.12.2015, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pudukkottai on condition that each of the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.00 am until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

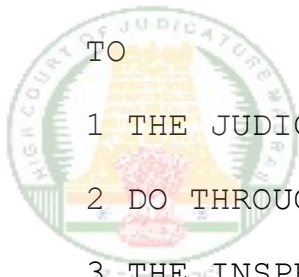
[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

sd/-
11/07/2016

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



TO

1 THE JUDICIAL MAGISTRATE, PUDUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE, THIRUKOKARNAM POLICE STATION,
THIRUKOKARNAM, PUDUKOTTAI DISTRICT,

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.RAMU Advocate SR.No.35930

GJM/AAL-MPA/SAR-III/20.07.2016 :3P/6C

ORDER

IN

CRL OP(MD) No.9592 of 2016

Date :11/07/2016