



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

Wednesday, the Twenty Second day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9921 of 2016

1 RAMARAJA

2 SHANMUGA PRIYA

... PETITIONER/ACCUSED 2& 3

Vs

STATE REB.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

SANKARANKOVIL,

TIRUNELVELI DISTRICT,

CR NO. 6 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.J.KARTHICK Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

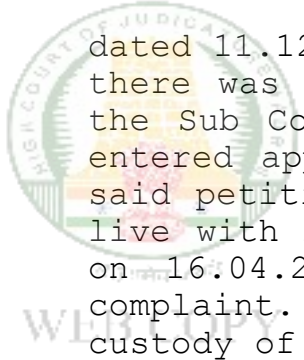
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 and 3 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 IPC and Section 4 of Dowry Prohibition Act, in Crime No.6 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 de facto complainant and A.1 was solemnized on 05.06.2011. At the time of marriage, 100 sovereigns of gold jewels, Sreethana Articles and Rs.2,00,000/- were given as dowry. Due to the wedlock, they were blessed with a male child on 04.04.2012. Thereafter, A.1 went abroad for his job. The accused persons harassed the de facto complainant demanding money for purchasing a car. On complaint 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 petitioners are only in-laws of the de facto complainant. Due to dispute, the de facto complainant left the matrimonial home in the year 2012. A.1 sent a legal notice



dated 11.12.2012 to her for restitution of conjugal rights and since there was no reply, he filed H.M.O.P.No.65 of 2014 on the file of the Sub Court, Sankarankovil for divorce and in that petition she entered appearance and filed a petition for interim alimony. The said petition was referred to Lok Adalat and in that she agreed to live with A.1 and therefore the said petition was withdrawn by A.1 on 16.04.2015. As a counter-blast, she has given the present complaint. The alleged 40 sovereigns of gold jewels were in the custody of the de facto complainant and the locker ledger entry also reflects the same.

4.The learned Government Advocate (Criminal side) submitted that after marriage, the accused persons harassed the de facto complainant demanding money to purchase a car. On her complaint, case has been registered.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are only in-laws of the de facto complainant, 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, Sankarankovil, 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 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.

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/-
22/06/2016

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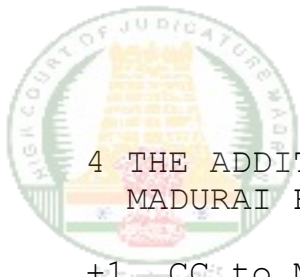
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL.

2 DO THROUGH THE CHIEF JUDICIAL MAGAISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE ALL WOMEN POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DISTRICT,



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

+1. CC to M/S R.J.KARTHICK Advocate SR.No.32157

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ORDER

IN

CRL OP(MD) No.9921 of 2016

Date :22/06/2016

SDR/SK-SKN/SAR III/24.06.2016/3P/6C