



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

Thursday, the Twenty Third day of June Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.9965 of 2016

WEB COPY

1 KUMARESAN
2 SEENI @ SEENIVASAN
3 SELVAKANNAN
4 PANDI @ PANDIYAN
5 MALATHI

... PETITIONERS/ACCUSED No.2,3,7,10,11

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VADAMADURAI, DINDIGUL DISTRICT
(CR. NO. 30 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.KARUNA 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 Nos.2,3,7,10,11, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 323, 498(A), 417 and 120(b) of IPC, in Crime No.30 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 de facto complainant and A.1 was solemnized on 02.11.2011. After the marriage, the accused persons harassed the de facto complainant and demanding more dowry. 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. A1 & A4 were arrested and enlarged on bail by the Trial Court. A1 filed H.M.O.P.No.108 of 2012, before the Sub Court, Vedsanthur for Restitution of Conjugal Rights.

4.The learned Government Advocate (Crl.side) submitted that investigation has been completed and the charge-sheet has been filed and not taken on file.

5.Considering the facts and circumstances of the case and also considering the fact that A1 & A4 were arrested and enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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, Vedasanthur, 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 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 petitioners appear report before the Judicial Magistrate, Vedasanthur on all hearing dates, without fail.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 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 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]**.

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

sd/-

23/06/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VEDASANTHUR, DINDIGUL DISTRICT.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, VADAMADURAI,
DINDIGUL DISTRICT.

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

+1. CC to M/S V.KARUNA Advocate SR.No.32614

ORDER

IN

CRL OP(MD) No.9965 of 2016

Date : 23/06/2016