

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fifth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. KALAIYARASAN

CRIMINAL ORIGINAL PETITION No.8635 of 2017

1 PRABHU	[PETITIONERS / ACCUSED]
2 CHITRA	
3 PAVITHRA	
4 VETRIVEL	

Vs

STATE REP. BY,	[RESPONDENT]
INSPECTOR OF POLICE,	
LAWSPET POLICE STATION,	
PONDICHERRY.	
CR.NO.40 OF 2017.	

For Petitioner : M/S.PRAKASH ADIAPADAM Advocate

For Respondent : MR. A.TAMILVANAN, Govt. Advocate (PUDUCHERRY)

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

ORDER : The Court Made the following order :-

The petitioners, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294[b], 323, 324 r/w 34 of IPC @ to 294[b], 324, 323, 498[A] and 506[ii] of IPC and Section 4 of Dowry Prohibition Act, 1961 r/w Section 34 of IPC on the file of the respondent police in Crime No.40 of 2017, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the de facto complainant and the 1st petitioner was solemnized in the year 2015 and the petitioners harassed the de facto complainant demanding dowry and therefore, the complaint was lodged.

3. Learned counsel appearing for the petitioners submit that the de facto complainant left the matrimonial home within one month from the date of marriage and that the petitioners are permanent residents and therefore, they may be granted anticipatory bail.

4. Learned Additional Public Prosecutor [Puducherry] though opposes this petition, fairly concedes that in the complaint given at the first instance does not disclose any demand of dowry. Admittedly, the petitioners are having permanent residence and the de facto complainant has also been living with her parents for a period of long time.

5. Considering the submissions of both sides and the fact that the petitioners are having permanent residence and also the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate-II, Puducherry 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 Judicial Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

-sd/-
05/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, PUDUCHERRY.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
PUDUCHERRY.

4 THE INSPECTOR OF POLICE,
LAWSPET POLICE STATION,
PONDICHERRY.

+1CC to M/S.PRAKASH ADIAPADAM Advocate on payment of necessary charges SR NO.8473

CRL OP.8635/2017

Date :05/05/2017

MK:09/05/2017