



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

Tuesday, the Twenty Ninth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10711 of 2017

1 KRISHNASAMY @ KRISHNAMURTHY
2 PUSHPAM
3 UMA MAHESWARI
4 SENTHAMARAI

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
CRIME NO.15 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.KARUNANITHI Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

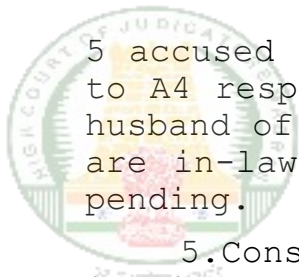
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 498(A), 506(i) of IPC r/w 4 of Dowry Prohibition Act in Crime No.15 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are said to have demanded 10 sovereigns of gold as additional dowry by harassing the de facto complainant and also jewels given to A5 by the de facto complainant, was handed over to the first petitioner herein and same was demanded by the de facto complainant but the first petitioner refused to return the jewels and threatened the de facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the de facto complainant is in the habit of lodging the false complaint against the petitioners from one Police Station to another Police Station in order to harass them. He also submitted that the respondent Police forcibly detained the first and second petitioners and kept in the Police Station till 10.30 p.m.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are



5 accused in this case and the petitioners herein are arrayed as A1 to A4 respectively. He also submitted that first petitioner is the husband of the de facto complainant and second and third petitioners are in-laws of the de facto complainant and investigation is still pending.

5. Considering the facts and circumstances of the case, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Aruppukottai, Virudhunagar District on condition that 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 learned Judicial Magistrate, Kamuthi daily at 10.30 a.m. 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/-

29/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
 - 2 THE JUDICIAL MAGISTRATE, KAMUTHI.
 - 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 5 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.KARUNANITHI Advocate SR.No.29693

ORDER IN

CRL OP(MD) No.10711 of 2017

Date : 29/08/2017