



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

Thursday, the Ninth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1382 of 2017

1 MRS.SOBANA
2 MR.PALPANDI

... PETITIONERS/ACCUSED NO.2 & 4

Vs

STATE REP.BY ,
THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT
CRIME NO.3/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.OM PRAKASH Advocate
For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

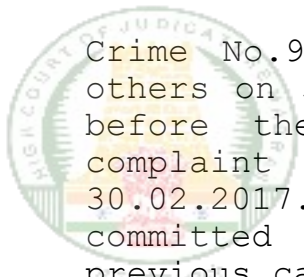
The petitioners, who are arrayed as accused Nos.2 & 4, in Crime No.3 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) of I.P.C and Section 4 of Dowry Prohibition Act and hence, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the respondent/State.

3. The case of the prosecution is that the defacto complainant in this case was subjected to cruelty and also the accused harassed the defacto complainant by way of demanding dowry.

4. The learned Government Advocate(Crl. Side) on instructions submitted that totally there are five accused in this case and the petitioners herein are A-2 and A-4 respectively. The defacto complainant in this case is the wife of A-1 and the other accused are the in-laws of the defacto complainant.

5.The learned counsel appearing for the petitioners stated that the petitioners herein are the wife and husband respectively and there was a panchayat in the house of A-1 in which A-2 was participated. The defacto complainant in this case has assaulted A-2. A-2 was admitted in the hospital and a case was registered in



Crime No.98 of 2017 against the present defacto complainant and others on 31.01.2017. On the basis of the complaint given by A-2 before the Aruppukkottai Police station. Hence, the present complaint is given as a counter-blast to the above complaint on 30.02.2017. The petitioners are innocent persons and they have not committed any offence whatsoever as alleged in the F.I.R and no previous case is pending against the petitioners.

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6.Considering the facts and circumstances of the case and also considering the fact that no-body is injured in the alleged occurrence, 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, Aruppukkottai, Virudhunagar District** 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 appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.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/-

09/02/2017

**(*)Amended as per order of this Hon'ble
Court made in CRL MP(MD)No.1518/2017
in CRL OP(MD)No.1382/2017 dated 23.02.2017
by BGJ**

/ TRUE COPY /

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

TO

To be substituted order copy already despatched

1 THE JUDICIAL MAGISTRATE NO.I,ARUPPUKOTTAI.

(*)2 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

4 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT

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

+1. CC to M/S.V.OM PRAKASH Advocate SR.No.7337

ORDER

IN

CRL OP(MD) No.1382 of 2017

Date :09/02/2017