



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

Monday, the Thirtieth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14585 of 2017

1 PAULRAJ
2 SAVARIMUTHU WALDAR
3 ARUL DALDAN MAURIAN

... PETITIONERS / ACCUSED NO.2,4,5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT,
CR NO. 32/2017.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.MUNIYANDI Advocate

For Respondent : MR.K.ANBARASAN 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 and 5, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 498(A), 406, 506(i) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.32 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first accused and the defacto complainant was solemnized on 04.12.2016. The first petitioner/A-2 is the father-in-law of the defacto complainant and the third petitioner/A-3 is the brother of the A1, working as police constable. The defacto complainant made an allegation against the petitioners 1 and 3 for sexual harassment. Thereby, the same was informed to the husband of the defacto complainant. However, he did not take care of allegation and he continued support to his father and his brother. Thereafter, the defacto complainant made a complaint against the husband as well as the father-in-law and brother-in-law before the respondent police.

3. The learned counsel appearing for the petitioners would submit that there may be allegations against the father-in-law and brother-in-law. There is no allegation against the A4 and entire case alleged by the defacto complainant is false and they did not commit any offences as alleged by the prosecution.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that the defacto



complainant again made a complaint to the respondent police for the harassment of her husband's father-in-law and brother-in-law and he fairly concedes that there is no allegation against the A4.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the second petitioner / A4 with certain conditions. Considering the submission made by the learned counsel for the respondent police, I am not inclined to grant anticipatory bail to the first and third petitioner / A2 & A5. Accordingly, the second petitioner/A4 is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.III, Dindigul, on condition that the second petitioner/A4 shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each 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 second petitioner shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks;
- (ii) the second petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iii) the second petitioner shall not commit any offence while on bail;
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
30/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, DINDIGUL, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.MANOCHARAN Advocate SR.No.33633

ORDER IN
CRL OP(MD) No.14585 of 2017
Date :30/10/2017