



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

Monday, the Sixth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14936 of 2017

WEB COPY

1 B.ANANTHA SELVAN
2 B.LAKSHMITHANGAM
3 B.AUTHISWAMY

... PETITIONERS/ACCUSED A1,A4 & A5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NAGERCOIL, KANYAKUMARI DISTRICT.
CRIME NO.7/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.MOHAMED HANEEF, Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1, A4 & A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A) and 406 of I.P.C r/w Section 3,4 of Dowry Prohibition Act, in Crime No.7 of 2016, on the file of the respondent police, seek anticipatory bail.

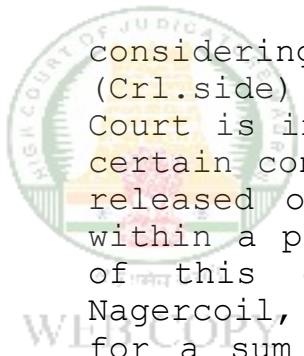
2.The case of the prosecution is that the first petitioner and the defacto complainant got married on 09.02.2014. After marriage, they were blessed with female child. Thereafter, birth of female child, the first petitioner and other family members jointly harassed the defacto complainant for demanding additional dowry of Rs.50,000/-. Hence the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that this Court already granted anticipatory bail to other in-laws/accused namely A2 ,A3 & A7 in Crl.O.P.No.7682 of 2017, dated 21.06.2017.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that they did not dispute the facts of the case.

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

5.Considering the facts and circumstances of the case and also



considering the submission made by the learned Government Advocate (Crl.side) that they did not dispute the facts of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioners 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 No.I, Nagercoil, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each 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 petitioner/A1 shall report before the respondent police, daily at 10.00 a.m., for a period of two weeks and the petitioners / A4 & A5 shall report before the respondent police as and when required;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not commit any offence while on bail;
- (v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-
06/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, NAGERCOIL, KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR.
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.A.MOHAMED HANEEF Advocate SR.No.33962

ORDER
IN

CRL OP (MD) No.14936 of 2017
Date : 06/11/2017