



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

Wednesday, the Twentieth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17215 of 2017

1 AMUTHAVALLI ... PETITIONER/ACCUSED NO.4
2 PANDIYAN ... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIRANGAM, TRICHY CITY,
CRIME NO.21/2017 ... RESPONDENT / COMPLAINANT

For Petitioners : MR.VEERAKARTHIRAVAN FOR
M/S.VEERA ASSOCIATES Advocate

For Respondent : MR.M.MURUGAN FOR MR.K.ANBARASAN
Government Advocate (Cr1. Side)

For Intervener : MR.A.SENTHILKUMAR, Advocate

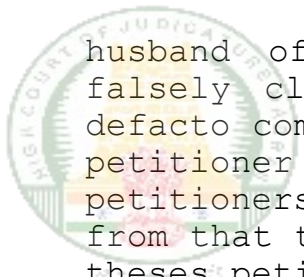
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 498(A), 406 and 506(i) I.P.C., and Section 4 of Dowry Prohibition Act, in Crime No.21 of 2017 , on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant married accused no.1, namely, Srivasanthan on 11.03.2016 in the presence of elders and petitioners herein, who were distant relatives of the accused no.1 There was a difference of opinion between the defacto complainant and accused no.1. Accordingly, the defacto complainant gave a complaint before the respondents police on 10.12.2017. Based on the complaint, the petitioners herein and other accused persons were implicated in this case.

3.The learned counsel for the petitioners submitted that the accused no.1 is working as a Executive Engineer in the Trichy Corporation and the accused no.2 is working in a postal department. The petitioners are not close relatives but distant relatives of the



husband of the defacto complainant and the defacto complainant falsely claims as if these petitioners are close relatives. The defacto complainant's husband's grand mother and mother of the first petitioner herein are cousin sisters only. It is true that the petitioners attended the betrothal and marriage functions, apart from that there was no promise or demand for any additional dowry by these petitioners in connection with the marriage.

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4.The learned counsel for the intervener would submit that the petitioners have a vital role with regard to the marriage. The marriage was organized by the petitioners herein. The defacto complainant and his family members agreed for the marriage, based on the promise given by the petitioners that the accused no.1 is having a Government Job with an income of Rs.5 lakhs per month. After marriage, the petitioners herein have demanded a car from the defacto complainant, for the accused no.1 and the defacto complainant was not treated properly by her husband's family members. Hence, the defacto complainant prays for dismissal of the anticipatory bail.

5.The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that admittedly, there was no specific allegation that the petitioners herein associated with other accused persons for demanding a car from the defacto complainant, for the accused no.1 and investigation is pending.

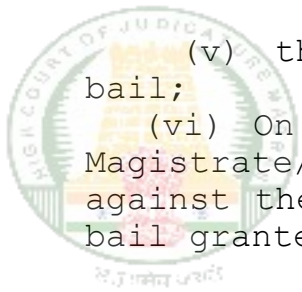
6.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate (Additional Mahila Court) Trichy, 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 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 petitioners shall report before the respondent police as and when required for interrogation.

(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 abscond either during investigation or trial.



(v) the petitioners shall not commit any offence while on bail;

(vi) 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.

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sd/-
20/12/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
(ADDITIONAL MHILA COURT) TRICHY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SRIRANGAM, TRICHY CITY,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.SENTHILKUMAR Advocate SR.No.36715

+1CC TO M/S.VEERA ASSOCIATES Advocate, SR NO.36747

MSA

GJM/SMA/SAR-3-21.12.2017-3P-7C

ORDER
IN
CRL OP(MD) No.17215 of 2017
Date :20/12/2017