



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

Tuesday, the Eighteenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.4325 of 2017

1 JAGANATH PRABU
2 SEENIYAMMAL
3 MANOKARAN
4 CHINTHIYA
5 MUTHAIAH BABU
6 MUTHUSELVI
7 SURESH

... PETITIONERS/ACCUSED No.1 to 7

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT
(CRIME NO. 3 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate
For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

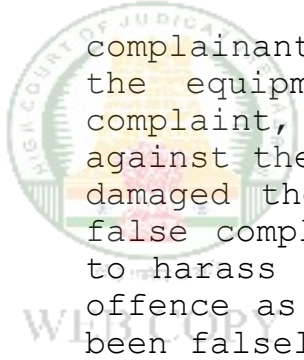
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A7 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), 323, 506(i) IPC and Sections 3 and 4 of the 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 learned counsel for the petitioners submitted that the first petitioner is the husband of the defacto complainant and the other petitioners are in-laws of the defacto complainant. The marriage between the defacto complainant and the first petitioner was solemnized on 27.08.2008. They lived together only for six months. Thereafter, on the ground of cruelty and desertion, the first petitioner has filed a petition in H.M.O.P.No.202 of 2009 for divorce and the defcto complainant has filed H.M.O.P.No.162 of 2010 for restitution of conjugal rights. Subsequently, the petition for divorce dismissed against which the first petitioner has filed civil revision petition before this Court. While so, on 11.03.2016, the first petitioner has given a complaint against the defacto



complainant stating that she has entered into the house and damaged the equipment and medicines. As a counter-blast to the said complaint, the defacto complainant has lodged a false complaint against the petitioners stating that they entered into her house and damaged the properties. In the above backdrops, now the present false complaint has been filed by the defacto complainant in order to harass the petitioners. The petitioners have not committed any offence as alleged in the complaint. They are innocent. They have been falsely implicated in this case.

4.The learned Government Advocate appearing for the respondent / Police submitted that due to dowry harassment, this complaint has been lodged and that the investigation is pending.

5. Considering the facts and circumstances of the case, 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 No.II, Srivilliputhur and on each 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 once in a week i.e., on every Sunday at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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/-
18/04/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.20349

ORDER IN
CRL OP(MD) No.4325 of 2017
Date :18/04/2017