



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

Wednesday, the Eleventh day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.9063 of 2017

1 VISHALAKSHI

2 ALAGAMMAI

... PETITIONERS / ACCUSED Nos.2 & 3
Vs

The State rep.by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARAIKUDI,
SIVAGANGAI DISTRICT
CR NO. 9/2017

... RESPONDENT / COMPLAINANT

For Petitioners : Mrs.AL.Ganthimathi, Advocate for
M/S.J.ANANDKUMAR Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

For Intervenor : Mr.S.Balaji, Advocate

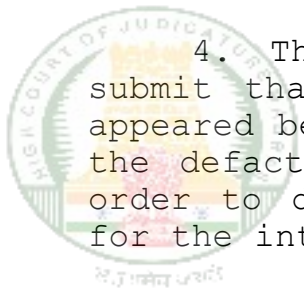
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 and 3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406, 506(i) of I.P.C., and Section 4 of TNPWH Act, in Crime No.9 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that marriage between the defacto complainant and the first accused was solemnised on 08.06.2017. Immediately after marriage, on 10.06.2017, the defacto complainant left the matrimonial home and gave a complaint on 12.06.2017 against the petitioners that they are demanding the dowry and also they are keeping 60 sovereigns of gold jewels, two diamond ornaments, 4 kgs of silver articles and a sum of Rs.2,00,000/- (Rupees Two Lakhs only). Based on the complaint, a case has been registered against the petitioners and they are in-laws of the defacto complainant.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.



4. The learned counsel appearing for the intervenor would submit that as per the direction of this Court, the petitioners appeared before the Mediation Centre and thereafter, the husband of the defacto complainant left the country and stayed in abroad in order to defeat the investigation. Therefore, the learned counsel for the intervenor prayed for the dismissal of this petition.

5. The learned Government Advocate (Crl.side) appearing for the State submitted that the investigation is still pending. However, the matter is not referred to District Level Committee, as per the orders of Hon'ble Supreme Court.

6. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that the investigation is still pending, I am 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, Karaikudi, 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 petitioners shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.9 of 2017 before the learned Judicial Magistrate, Karaikudi, without prejudice to their defence before the trial Court within a period of two weeks from the date of receipt of copy of this order. After such deposit, the trial Court shall accept the sureties furnished by the petitioners.

(ii) the petitioners shall report before the respondent police as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

(v) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-

11/10/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT.

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARAIKUDI, SIVAGANGAI DISTRICT

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

+1. CC to M/S.J.ANANDKUMAR Advocate SR.No.32786

+1CC to Mr.R.Anand, Advocate SR.No.32628

ORDER

IN

CRL OP(MD) No.9063 of 2017

Date :11/10/2017

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