



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

Tuesday, the Twenty Seventh day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) Nos.1019 and 1758 of 2018

1 SOUNDARARAJAN

2 VIJAYA

3 CHANDIRA

... PETITIONERS/ ACCUSED NO.2,3 & 6
IN CRL OP(MD)NO.1019 OF 2018

LENIN KUMAR

... PETITIONER/ ACCUSED NO.1
IN CRL OP(MD)NO.1758 OF 2018

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
BODI, THENI DISTRICT.
(CRIME NO.19 OF 2017)

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

RATHIKA

INTERVENOR/COMPLAINANT

... PETITIONER/

IN CRL MP(MD)NO.669 OF 2018
IN CRL OP(MD)NO.1019 OF 2018

For Petitioners: M/S.A.UTHAYAKUMAR, Advocate
IN BOTH THE PETITIONS

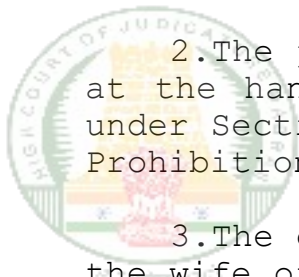
For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

For Intervenor : M/S.P.SENGUTTARASAN, Advocate
IN CRL MP(MD)NO.669 OF 2018
IN CRL OP(MD)NO.1019 OF 2018

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

ORDER : The Court Made the following order :-

Since the petitioners in these two petitions are involved in the same crime registered in Crime No.19 of 2017, these two petitions are taken up together, heard and disposed of by way of common order.



2.The petitioners in these two petitions, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 and 506(i) I.P.C., r/w Section 4 of Dowry Prohibition Act, in Crime No.19 of 2017, seek anticipatory bail.

3.The case of the prosecution is that the defacto complainant is the wife of the first accused, who is the petitioner in CrI.O.P(MD). No.1758 of 2018. The petitioners 1 and 2/ A2 & A3 in CrI.O.P(MD). No.1019 of 2018 are the parents of the first accused and the third petitioner/A6 is the relative of the first accused. It is alleged that due to the demand of more dowry made by the first accused and his family members, the defacto complainant was driven out from her matrimonial home. Hence, the case has been registered for the above said offences.

4.The learned counsel appearing for the petitioner submitted that the petitioners are innocent persons, they have been falsely implicated in this case , further added that they have not involved in the alleged occurrence. They have no way connected with the offences alleged and hence prays for anticipatory bail.

5. Heard the learned counsel appearing for the intervenor.

6.The learned Government Advocate (CrI.side) appearing for the State submitted that investigation is still pending.

7. The submissions made by the learned counsel appearing on either side are considered. This Court by an order dated 14.02.2018, interim anticipatory bail was granted in favour of the petitioners subject to the condition that the petitioners shall execute the bond for a sum of Rs.25,000/- each. While so, at the time of passing order, the issue related to the petition was referred to the Mediation and Conciliation Centre attached to this Bench for amicable settlement.

8.A bare perusal of records would show that the learned Mediator, Tamil Nadu Mediation and Conciliation Centre, Madurai Bench of Madras High Court, sent a letter to this Court, in which, it was stated that Mediation could not succeed, for which, the learned counsel appearing for the petitioners submitted that the defacto complainant is not willing to live with the petitioner. Accordingly, this Court comes to the conclusion that there is no reason to interfere with the order passed by this Court in CrI.O.P (MD).Nos.1019 and 1758 of 2018, dated 14.02.2018. Hence, these petitions are allowed and the order passed in these Criminal Original Petitions is made absolute.

sd/-
27/03/2018

/ TRUE COPY /



MSA
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THIRUPPULLANI POLICE STATION,
THIRUPPULLANI,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO : THE CO-ORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.4945, 4946

GJM/PMI/SAR-4-3.4.18-3P-7C

ORDER
IN
CRL OP (MD) No.1019 AND
1758 of 2018
Date :27/03/2018