



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

Monday, the Fifth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1060 of 2018

1 V.VIJAYGANESH
2 VENUGOPAL
3 GOMETHAGAM
4 NITHILAM
5 POONKULALI

... PETITIONER/ACCUSED 1 to 5

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI CITY.
IN CRIME NO. 1/2018

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.M.SENTHIL AYYANAR, Advocate

For Respondent : M/S.A.ROBINSON, Government Advocate (Crl.Side)

For Intervenor : No Appearance

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as A1 to A5 in Crime No.1 of 2018 on the file of the respondent police. He apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 506(i) IPC, they have filed this petition, seeking relief to grant of anticipatory bail.

2.The case of the prosecution is that in order to get additional dowry, the petitioners herein have harassed the defacto complainant. Hence, the defacto complainant lodged a complaint against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case, they have not committed any offence as alleged by the prosecution. Hence he pleads for grant of anticipatory bail to the



petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that investigation is still pending.

5.The submissions made by the learned counsel appearing on either side are considered. Documents perused. This Court by an order dated 01.02.2018 granted Interim anticipatory bail in favour of the petitioners and the issue related to the petition was referred to the Mediation and Conciliation Centre attached to this Bench for amicable settlement.

6.Today, when the matter is taken up for hearing the report received from the Mediation and Conciliation Centre was placed before me. Unfortunately in the mediation, the dispute could not be succeeded. In the above circumstances, considering the fact that the case has been registered for the offence under Sections 498(A), 406, and 506(i) I.P.C., considering the judgment of our Honourable Apex Court in **Arnesh Kumar Vs State of Bihar and another [Crl.A.No.1277 of 2014]**, this Court is inclined to allow the application. Accordingly, this petition is allowed and interim anticipatory bail granted in favour of the petitioner was made absolute.

sd/-

05/03/2018

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI CITY.

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

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

+1. C.C. to M/S.M.SENTHIL AYYANAR, Advocate SR.No.3440

+1. C.C. to M/S.D.S.HAROON RASHEED, Advocate SR.No.3508

ORDER

IN

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Date :05/03/2018