



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

Monday, the Twenty Second day of January Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

WEB COPY

CRL OP (MD) No.924 of 2018

1 PERIYASAMY
2 KASIYAMMAL
3 ASHOKRAJAN @ IRULANDI
4 ARIVALAGAN
5 AMMAVASI
6 RANI

... PETITIONERS/ ACCUSED 2 TO 7

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
USILAMPATTI, MADURAI.
IN CRIME NO.1 OF 2018.

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.J.SENTHIL KUMARAI AH, Advocate
For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

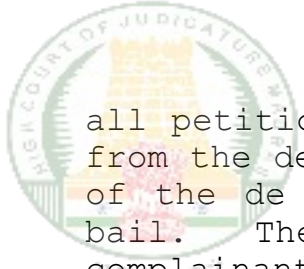
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 498(A), 494, 294(b) IPC in Crime No.1 of 2018 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners, by demanding additional dowry, harassed the de facto complainant.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) submitted that the investigation is still pending.

5.The submissions made by the learned counsel on either side are considered. The case has been registered against the petitioners for the offence punishable under Sections 498(A), 494 and 294(b) IPC. It is alleged that during the time of occurrence,



all petitioners demanded a sum of Rs.5,00,000/- as additional dowry from the de facto complainant. The main accused, who is the husband of the de facto complainant, was already arrested and released on bail. The petitioners herein are only in-laws of the de facto complainant. So, considering the relationship between the petitioners and the de facto complainant, there is no chance to tamper the witnesses and hamper the investigation. For the reasons stated above, custodial interrogation is not necessary for completing investigation.

6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they 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 No.I, Usilampatti, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 daily at 10.00 a.m. for a period of three weeks and thereafter, 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 not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
22/01/2018

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, USILAMPATTI, MADURAI.

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

+1. CC to M/S.J.SENTHIL KUMARAIAH Advocate SR.No.1060

ORDER

IN

CRL OP(MD) No.924 of 2018

Date :22/01/2018

MS/PM-PN/SAR.1/25.01.2018/2P.6C