



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

Wednesday, the Fourteenth day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.14642 of 2017

SURESH

... PETITIONER/ACCUSED No.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMENS POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
CRIME NO.6 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MURUGESAN, Advocate

For Respondent : MR.M.ASOKAN, Govt. Advocate (Crl. Side)

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

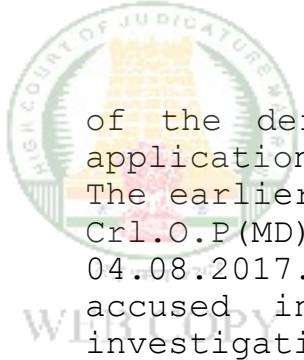
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Section 498(A) of IPC., and Section 4 of Dowry Prohibition Act, in Crime No.6 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner said to have demanded additional dowry of 10 sovereigns of gold jewels and a sum of Rs.50,000/-, by way of harassing and torturing the defacto complainant. Further, the petitioner said to have set fire on the hands of the defacto complainant.

3.The learned counsel appearing for the petitioner submitted that the defacto complainant wants to live in a separate house with the petitioner and the same was refused by the petitioner and hence, the defacto complainant made a complaint before the respondent Police, for dictating terms and the petitioner is no way connected with the offence. He also submitted that the defacto complainant is having the habit of consuming alcohol and at the time of occurrence, she herself put the fire on her hand.

4.The learned Government Advocate (Crl.side) appearing for the respondent submitted that totally there are three accused in this case and the petitioner herein is arrayed as A1, who is the husband



of the defacto complainant. The present application is the 2nd application, seeking anticipatory bail, on the same set of facts. The earlier anticipatory bail application moved by the petitioner in Crl.O.P(MD)No.10193 of 2017 was dismissed by this Court, on 04.08.2017. He also submitted that the petitioner is the main accused in this case and he is still absconding and hence, investigation is still pending. The co-accused / A2 and A3 were granted anticipatory bail in this case. He also submitted that earlier, the matter was referred to the Mediation and Conciliation Centre, attached to this Bench for Mediation, and the Mediation is failed.

5. Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, after dismissal of the earlier application and the petitioner herein is A1 / main accused, still absconding and hence, there is no progress in the investigation, this Court is not inclined to grant anticipatory bail to the petitioner, at this stage. Hence, this Criminal Original Petition stands dismissed. The respondent Police is directed to secure the accused.

sd/-

14/02/2018

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

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMENS POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.N.SHANMUGA SELVAM Advocate SR.No.2563

ORDER

IN

CRL OP(MD) No.14642 of 2017

Date :14/02/2018

SMA/RR-CSL/SAR-2/16.02.2018:2P/5c