



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

Thursday, the Twenty Second day of March Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) Nos.18025 and 18036 of 2017

1 P.ALBERT
2 SHANTHI
3 ASHA

... PETITIONERS/ACCUSED No.2 to 4
IN CRL OP (MD) No.18025/2017

SHYJU ALBER

... PETITIONER/ACCUSED RANK NOT KNOWN
IN CRL OP (MD) No.18036/2017

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KANYAKUMARI, KANYAKUMARI DISTRICT,
CRIME NO.15/2017

... 1st RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

2 ALANGARA PRINCY

... 2nd RESPONDENT/DEFACTO COMPLAINANT
IN BOTH THE PETITIONS

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

For Respondent-1 : M/S.A.ROBINSON, Government Advocate (Crl.Side)
IN BOTH THE PETITIONS

For Respondent-2 : M/S.R.MANIMARAN, Advocate IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners/A2 to A4 in Crl.O.P(MD).No.18025 of 2017 and the petitioners/Rank not known in Crl.O.P(MD).No.18026 of 2017, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 498(A), 406, 294(b), 506(i) I.P.C., and Section 4 of Dowry Prohibition Act, in Crime No.15 of 2017, seek anticipatory bail.



2.The case of the prosecution is that the marriage between the petitioner in Crl.O.P(MD).No.18036 of 2017 and the second respondent/ defacto complainant was solemnized on 05.06.2015. After the marriage, the petitioners herein had demanded more dowry from the defacto complainant, due to which, the petitioners had ill-treated the defacto complainant. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated, further added that they have not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioners.

4.Heard the learned counsel appearing for the intervenor.

5.The learned Government Advocate(Criminal Side) appearing for the State submitted that investigation is still pending.

6.Documents perused. Previously, this Court by an order dated 28.12.2017 in Crl.O.P.(MD)Nos.18025 and 18036 of 2017, 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.10,000/- each. Further, at the time of passing order, the issue related to these petitions were referred to the Mediation and Conciliation Centre attached to this Bench for amicable settlement.

7.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 the dispute arose between the petitioners and the defacto complainant is not settled and the mediation could not succeed. However, after granting anticipatory bail in favour of the petitioners, till date they have obeyed the order passed by this Court, without any deviation. So, considering the facts and circumstances of the case, the earlier order passed by this Court in Crl.O.P.(MD)Nos.18025 and 18036 of 2017, dated 28.12.2017 is made absolute. Accordingly, the Criminal Original Petition is allowed.

sd/-
22/03/2018

/ 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, KANYAKUMARI,
KANYAKUMARI DISTRICT,

2 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.

+2. CC to M/S.M.SARAVANAN Advocate SR.No.4588,4589

ORDER

IN

CRL OP (MD) Nos.18025&18036 of 2017

Date :22/03/2018

PK/PMI/SAR-1/03.04.2018 : 3P/6C