



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7666 of 2018

1 RAKESH
2 MEENA
3 DINESH
4 SIVANATHAN
5 SELVI

... PETITIONERS/ ACCUSED 1 TO 5

Vs

STATE THROUGH REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM, MADURAI
CRIME NO.20/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.V.PANDIYAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government 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), 294(b), 323 & 506(i) of I.P.C in Crime No.20 of 2018, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that these petitioners gave torture to the de-facto complainant by demanding more dowry. Hence the de-facto complainant lodged the complaint.

3.The learned counsel for the petitioners submitted that A1 is the husband and A2 is the mother-in-law and A3 is the brother-in-law of the defacto complainant and A4, A5 are the 1st petitioner's uncle and aunt and the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl. side) appearing for the respondent Police, on instructions, would submit that there



are totally 5 accused in this case and the de-facto complainant filed the complaint stating that A1 assaulted her by demanding dowry and he would further submit that investigation is pending.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Thirumangalam, Madurai District, on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police daily, at 10.30 a.m. until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] on breach of any of the aforesaid conditions, 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/-
09/05/2018

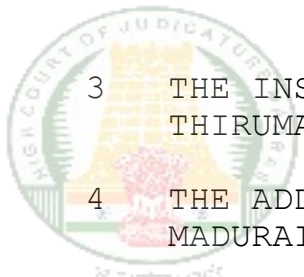
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM,
MADURAI DISTRICT

<https://hcservices.ecourts.gov.in/hcservices/>
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.



3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THIRUMANGALAM, MADURAI

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

+1. CC to M/S.V.PANDIYAN Advocate SR.No.8260

RM/SJI

GJM/PMI/GSR/11.5.18-3P-6C

ORDER

IN

CRL OP (MD) No.7666 of 2018

Date :09/05/2018