



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

Monday, the Tenth day of September Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.13795 of 2018

1 RAMACHANDRAN
2 RATHIKA

... PETITIONERS / ACCUSED1 AND 2

Vs

THE STATE REPRESENTED BY.
THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI DISTRICT.
CRIME.NO.34 OF 2018

... RESPONDENT / COMPLAINANT

C.SHARMILA

...PETITIONER /INTERVENER

For Petitioners : Mr.T.SELVAKUMARAN Advocate

For Respondent : Mrs.ANANTHA DEVI Govt. Advocate (Cr1. Side)

For Intervener : Mr.A.K.MANIKAM Advocate

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 offences punishable under Sections 498(A) and 506(i) I.P.C. in Crime No.34 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the husband of the defacto complainant and the second petitioner is the mother-in-law of the defacto complainant. Their marriage was solemnized on 21.10.2010 and through their wedlock, a female child was born. Thereafter, the petitioners harassed the defacto complainant by demanding more dowry. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents. On earlier occasion, the defacto complainant lodged a complaint against the petitioners with same set of allegations. Since there was a settlement between them, the earlier complaint has been withdrawn by the defacto complainant. Thereafter, again with the same set of allegations, the present complaint has been lodged. Moreover, the first petitioner has also paid a monthly maintenance to the defacto complainant. Hence, he



prays for anticipatory bail to the petitioners.

4.The learned counsel appearing for the intervener would submit that when the defacto complainant lived along with the petitioners, she was harassed and humiliated for one or other reason. For that the defacto complainant lodged a complaint against the petitioners. Thereafter, believing the sweet coated words of the first petitioner, the defacto complainant agreed to withdraw the earlier case. Thereafter, again the petitioners harassed the defacto complainant. Hence, the present complaint has been lodged. Therefore, he vehemently opposed the grant of anticipatory bail to the petitioners.

5.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Additional Mahila Court, Madurai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Mahila Court concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners shall appear before the concerned Mahila Court within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
10/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDGE, ADDITIONAL MAHILA COURT,
MADURAI.
 - 2 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI DISTRICT.
 - 3 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADIRAS HIGH COURT, MADRAI.
- +1. CC to M/S.T.SELVAKUMARAN Advocate SR.No.17215
PS/JC/SAR-4:19/09/2018:2P/5C



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Date :10/09/2018