



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

Thursday, the Twenty Third day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.14912 of 2018

1 K.PARTHIBAN
2 M.KARUPPIAH
3 K.SARAVANAN
4 ILAKKIYA

... PETITIONERS / ACCUSED 1 to 4

Vs

THE INSPECTOR OF POLICE
ALLWOMEN POLICE STATION,
MANAMADURAI
SIVAGANGAI DISTRICT
IN CRIME NO.14/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.GURURAJ Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.14 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the husband and the petitioners 2 to 4 are the in-laws. The complaint was given by the wife who is the defacto complainant on 17.07.2018 to the effect that the petitioners have demanded dowry and have committed cruelty on the petitioner.

3. The learned counsel for the petitioners brought to the notice of this Court that earlier complaint was given by the defacto complainant on the same grounds based on which enquiry was conducted by the District Social Welfare Officer . The District Social Welfare Officer has submitted a report before the respondent police on 14.06.2018 to the effect that there was no dowry demand in this case and the defacto complainant wants to live alone. Concealing the said report and the closure report , the present



First Information Report has been registered and therefore the same amounts to abuse of process of law.

4. The learned Government Advocate would submit that the First Information Report has been registered only on the basis of the complaint given by the petitioner and it is true that there was a earlier complaint given by the very same defacto complainant.

5. This Court finds that there is entire exercise amounts to abuse of process of law . For the very same incident, earlier complaint was given and the same was closed on the basis of the report given by the District Social Welfare Officer. Concealing the same the subsequent compliant is being given with the very same allegations and the respondent police have mechanically registered the First Information Report on the complaint.

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 Judicial Magistrate, Manamadurai, Sivagangai District 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 Magistrate 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 Magistrate 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/-

23/08/2018

/ TRUE COPY /

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

AAV
TO

1 THE JUDICIAL MAGISTRATE,
MANAMADURAI,
SIVANGANGAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.



3 THE INSEPCTOR OF POLICE,
ALLWOMEN POLICE STATION,
MANAMADURAI.
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.M.GURURAJ Advocate SR.No.16046
PS/VR/SAR-2:03/08/2018:3P/6C

ORDER
IN
CRL OP(MD) No.14912 of 2018
Date :23/08/2018