



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

Tuesday, the Twenty Second day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.217 of 2019

1 MURUGAN
2 AMSAVALLI @ AMSU
3 RAJAPANDI
4 NATHIYA

... PETITIONERS / A-2 to A-5

Vs

STATE REP. BY,
INSPECTOR OF POLICE
VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT
(CRIME NO.173 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.A.K.MANICKAM Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. 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 offences punishable under Sections 174(3) Cr.P.C @ 306 I.P.C, in Crime No.173 of 2018, seek anticipatory bail.

2. The case of the prosecution is that the marriage solemnized between the deceased and A1. During the marriage there was demand of dowry of 15 sovereigns of jewels. The deceased's parents was able to make only 10 sovereigns and thereafter, the parents of the deceased promised balance jewels later. After some time, the deceased was forced to bring the balance dowry. When the deceased went to his parent's house, she has no talk about the demand of dowry. Thereafter, on 19.12.2018, the deceased committed suicide by hanging herself. Therefore, the defacto complainant lodged a complaint as against the petitioners.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any



offence as alleged by the prosecution. They have been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) would submit that after registration of the complaint, RTO enquiry was conducted under Section 174(3) Cr.P.C and the deceased's in-laws have been examined, all these persons stated the same fact that no one have stated anything about dowry demand.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are the in-laws of the deceased, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakkottai on condition that the petitioners shall execute 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 said Magistrate, on further condition that:

[a] the petitioners shall appear before the respondent police daily at 10.30.a.m, for a period of two weeks thereafter, as and when required for interrogation.

[b] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

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

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/01/2019

/ TRUE COPY /

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE
VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT

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

+1. CC to MR.A.K.MANICKAM Advocate SR.No.1073

ORDER

IN

CRL OP (MD) No.217 of 2019

Date :22/01/2019

MSI/VR/SAR-III/28.01.2019-3P/6C