



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

Wednesday, the Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22046 of 2018

1 GURUSAMY
2 ANTHONIYAMMAL
3 GANESAN
4 KANNIAMMAL

... PETITIONERS / ACCUSED No. 2 to 4 &
RANK NOT KNOWN

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 14 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.P.T.RAMESH RAJA Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

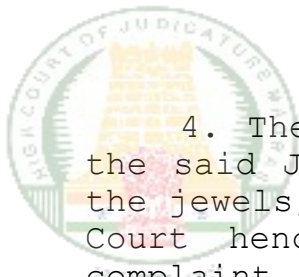
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 of IPC and Section 4 of Dowry Prohibition Act in Cr.No.14 of 2018 seek anticipatory bail.

2. The case of the prosecution is that the marriage between the defacto complainant and the son of the first petitioner took place on 20.08.2015. At the time of marriage Rs.10000/- cash and 18 sovereigns of gold was given. Due to some misunderstanding they have separated and the first accused had filed a divorce petition in H.M.O.P.No. 227 of 2016 for divorce and the same is pending before the Sub Court, Sivakasi and he has also obtained decree of divorce.

3. The learned counsel for the petitioners would submit that the petitioners herein are the in-laws and they have been unnecessarily implicated in this case.



4. The learned Government Advocate(Crl.Side) would submit that the said Jeyachandran has given an undertaking that he will return the jewels, but refused to return the same and he is not before this Court hence the defacto complainant has preferred the present complaint.

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5. Taking into consideration the facts of the case and the submissions by learned counsels and that the petitioners herein are the in-laws, this Court 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, before the learned Judicial Magistrate No.I, Sattur, Viruthunagar District 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] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police as and when required for interrogation

[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 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]**.

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

sd/-

02/01/2019

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

TO

1 THE JUDICIAL MAGISTRATE NO I
SATTUR, VIRUDHUNAGAR DISTRICT

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



3

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.

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

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+1. CC to MR.P.T.RAMESH RAJA Advocate SR.No.6

ORDER

IN

CRL OP(MD) No.22046 of 2018

Date :02/01/2019

MSI/JC/SAR-IV/07.01.2019-3P/6C