



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

Date : 17/02/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.1479 of 2020

1. S.Gokul
2. Saravana
3. Vijyalakshmi
4. Vishnu Priya

... Petitioners/Accused 1 to 4

Vs

State rep. by
The Inspector of Police,
All Women Police Station,
Thilagar Thidal,
Madurai
(Cr No.2/2020)

... Respondent/Complainant

For Petitioners : M/s.T.R.Jeyapalam,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervener : Mr.G.Prabhu Rajadurai

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

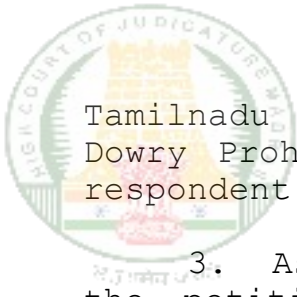
PRAYER :-

for Anticipatory bail in Crime No.2 of 2020 on the file of the
respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners, the
learned counsel appearing for the intervener and the learned
Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences under sections 498(A), 294(b),
304(B), 307, 377, 354(A), 506(ii) and 120(b) of I.P.C., Section 4 of
<https://hcservices.ecourts.gov.in/hcservices/>



Tamilnadu Prohibition of Harassment of Women Act and Section 4 of Dowry Prohibition Act, in Crime No.2 of 2020 on the file of the respondent police, seek anticipatory bail.

3. As rightly pointed out by the learned counsel appearing for the petitioners, the jewels which were gifted at the time of marriage have been taken back by the defacto complainant. But then, the allegations made in the FIR against the first petitioner fairly serious.

4. The marriage between the first petitioner and the defacto complainant took place on 23.08.2018. The defacto complainant in her complaint has detailed as to how she was subjected to sexual torture at the hands of the first petitioner. The defacto complainant only wants mutual divorce and 1/3rd of the marriage expenses. The first petitioner is not agreeable for the said course of action. Hence, I am of the view that it is not a fit case for grant of anticipatory bail as regards the first petitioner and the criminal original petition stands dismissed as regards the first petitioner.

5. I am of the view that arrest of the petitioners 2 to 4 is not going to serve any purpose. Hence, I am inclined to grant anticipatory bail to the petitioners 2 to 4 with certain conditions. Accordingly, petitioners 2 to 4 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 Court concerned and on further condition that the petitioners 2 to 4 shall appear before the respondent police as and when required for interrogation. The petitioners 2 to 4 shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners 2 to 4 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/-
17/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

IAS



TO

1 THE ADDITIONAL MAHILA COURT, MADURAI.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THILAGAR THIDAL, MADURAI.

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

+1. CC to M/S.T.R.JEYAPALAM Advocate SR.No.3303

ORDER

IN

CRL OP(MD) No.1479 of 2020

Date :17/02/2020

JMN/SKN/SAR-I (24.02.2020) 3P : 5C