



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

Date : 04/01/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.16101 of 2020

1. Veerakumar
2. Rasathi
3. Lakshmi Priya
4. Chitra
5. Saravanakumar
6. Veerasekar
7. Pandidurai

... Petitioners/Accused No.1 to 7

Vs

State Rep. by
The Inspector of Police,
All Women Police Station,
Dindigul, Dindigul District.
(Crime No.19/2020).

... Respondent/Complainant

For Petitioner : Mr.Sasi Kumar.V,
Advocate.

For Respondent : Mr.M.V.Chandrasekaran,
Government Advocate (Crl.Side)

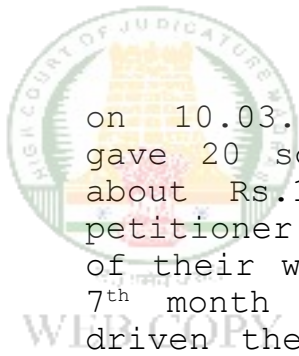
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.19/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 to A7, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A) and 506(i) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.19 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The first petitioner is the husband of the defacto complainant and the petitioners 2 to 7 are in-laws of the defacto complainant. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant took place



on 10.03.2020 at that time, the parents of the defacto complainant gave 20 sovereigns of gold jewels and house hold articles worth about Rs.1 lakh as Sridhana. After the marriage, the first petitioner and the defacto complainant were living at Chennai. Out of their wedlock, they were blessed with one female child. During 7th month pregnancy of the defacto complainant, the petitioners driven the defacto complainant out from the matrimonial home and demanded additional dowry. After the birth of the female child, the first petitioner did not come and see the child of the defacto complainant and also did not take care of child and the petitioners demanded additional dowry for a sum of Rs.5 lakhs from the defacto complainant and harassed her. Hence, the present complainant.

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

4.The learned counsel appearing for the petitioners submitted that the petitioners 2 to 7 are residing at Dindigul and they never shared common house hold. He further submitted that the marriage between the first petitioner and the defacto complainant was solemnized on 10.03.2020 and thereafter, they were living happily at Chennai. After the defacto complainant got pregnant, she came to her parents house and she gave birth to female child on 04.10.2019. He further submitted that within 7 months of marriage, the defacto complainant treated the petitioner and others cruelty. Hence, the petitioners have filed a petition in H.M.O.P.No.96 of 2020 on the ground of cruelty before the Family Court, Dindigul and the same is pending. During the pendency of the family court proceedings, the defacto complainant had appeared for mediation twice. As a counter blast, the defacto complainant lodged the present complaint as against the petitioners. Hence, he prayed for grant of anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl. Side), appearing for the respondent police submitted that the defacto complainant viz., Kalaivani lodged complaint against the petitioners stating that she was subjected to cruelty and harassmt for demand of dowry. The marriage between the first petitioner and the defacto complainant took place on 10.03.2020. After the marriage, the defacto complainant got pregnant and she gave birth to female child. The first petitioner questioned the paternity and morality of the defacto complainant, due to which, he constantly harassed the defacto complainant. Hence, the present complainant.

6.Considering the facts and circumstances of the case and also considering the fact that there is matrimonial dispute and a divorce petition is also pending in H.M.O.P.No.96 of 2020 before the Family Court, Dindigul, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT.

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

+1 CC to M/s.V.SASIKUMAR, Advocate (SR-87[I] dated 06/01/2021)

ORDER

IN

CRL OP(MD) No.16101 of 2020

Date :04/01/2021

VSG

JM/VR/SAR II/19.01.2021/4P/5C