



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

Dated: 02/09/2022

PRESENT

The Hon'ble Mr.Justice **G. ILANGO VAN**

Crl.OP (MD) No.5854 of 2022

WEB COPY

- 1.Paraloga Savari Viyagappan : Petitioner/Accused No.3  
2.Arokkiamary @ Arockiamary : Petitioner/Accused No.4

Vs.

State through  
The Inspector of Police,  
All Women Police Station,  
Virudhunagar District.  
(Crime No.4 of 2022)

: Respondent/Complainant

For Petitioners : Mr.R.Alagumani, Advocate  
For Respondent : Mr.Vaikkam Karunanithi  
Government Advocate (Criminal side)

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

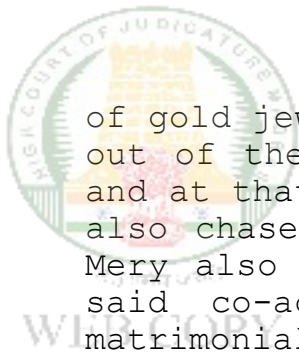
PRAYER:-

For Anticipatory Bail in Crime No.4 of 2022 on the file of the Respondent Police.

**ORDER** : The Court made the following order:-

The petitioners, who are arrayed as A3 and A4 apprehending arrest at the hands of the respondent police for the offences punishable under sections 498-A, 506(i) IPC and section 4 of the Dowry Prohibition Act and section 4 of the Dowry Prohibition Act, 1961, in Crime No.4 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the wife of A1. She lodged a complaint stating that the marriage between them was performed, on 31/08/2017 as per the religious customary rites. She was provided with sufficient jewels, house-hold articles, etc., and during the festival season and birth of the child, sufficient jewels were also provided. Because of the job nature of A1, they started residing in Chennai. The first child was a stillborn child. A2 started telling the husband that they must earn money and only after that, they must have a child. During their stay, the entire salary was received by A1. But they have not provided with any money. Later, she started paying the money in her account and that was not liked by the husband. All the accused persons joined together and demanded 100 sovereigns of gold jewels. The wife was taken to the parental home and dropped there. Later, there was a compromise, by which they started living together. Even after the above said, they have harassed by demanding 100 sovereigns



of gold jewels. After 10 days by retaining the child, she went out of the house. On 06/11/2020, she went to her matrimonial home and at that time, she was not permitted inside the house and she was also chased away by the brother of A1 and his wife namely Arokiya Mery also threatened over phone and A1 was not shown by the above said co-accused. For the past several years, she is in the matrimonial home. Based upon the above said complaint, the case was registered against five persons.

3.Now seeking anticipatory bail, A3 and A4 are before this court on the ground that when A1 went to America, the de-facto complainant suspected the second accused. At that time, A2 came to know that A1 went to America. Later, IDOP No.86 of 2022 was filed by the husband seeking divorce and now the matter is still pending. So according to the petitioners, absolutely, they are not involved in the matrimonial issue between the husband and wife and thinking that the petitioners are responsible for sending A1 to America, the above said trouble has been made by the de-facto complainant and also lodged a complaint.

4.So considering the limited role that has been alleged against the petitioners, as usual in the matrimonial issue between the husband wife, all the in-laws are roped. The petitioners are only remotely connected with the matrimonial issue. It is also seen that the petitioners are not residing along with the de-facto complainant and her husband.

5.Considering the limited role alleged to have been played by the petitioners, 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 Mahila Court, Srivilliputur and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judge concerned and the petitioners shall appear before the respondent police daily at 10.30 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioners shall appear before the concerned Judge within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

02/09/2022

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/09/2022

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



To

1. THE JUDGE, MAHILA COURT, SRIVILLIPUTUR.

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

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

ORDER

IN

CRL OP(MD) No.5854 of 2022

Date : 02/09/2022

RK/SVR/SAR-1 (20/09/2022) 3P/4C