



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

Wednesday, the Tenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10278 of 2015

1 ALPHONSE

2 ALPHONSA

3 FEMINA

4 VINIFRIET

... PETITIONER(S) / ACCUSED 2 to 5

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO. 172 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

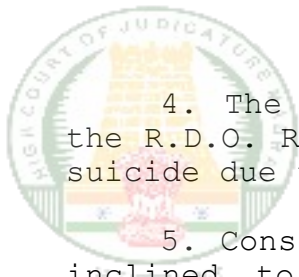
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 to 5 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 174 Cr.P.C., altered to Section 306 of I.P.C., in Crime No.172 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. One Benila lodged a complaint alleging that the first accused married her daughter on 29.08.2012 and both of them were living with her for a period of one year and thereafter, the first accused and her daughter Nabelo started living separately and on 17.05.2015 at about 10.00 a.m., quarrel arose between the husband and wife and the other accused have intervened and thereafter, on 18.05.2015, she committed suicide.

3. The learned counsel for the petitioners submitted that even according to the de-facto complainant, entire allegations made against only the first accused and there is no specific overt act attributed against these petitioners. It is further submitted that the first accused was already arrested and remanded to judicial custody. It is also submitted that the petitioners are innocent and they have been falsely implicated in this case.



4. The learned Government Advocate (Crl.side) submitted that as per the R.D.O. Report, there is no dowry harassment and the deceased committed suicide due to matrimonial dispute.

5. Considering the facts and circumstances of the case, 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 their arrest or on their appearance before the learned Judicial Magistrate, Tiruchendur and on 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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 stands dismissed.

sd/-
10/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION, THOOTHUKUDI DISTRICT.
- +1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No. 29560.

TS/15.06.2015/2P-6C

ORDER
IN
CRL OP(MD) No.10278 of 2015
Date :10/06/2015