



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

Wednesday, the Twenty Ninth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP (MD) Nos.11179, 11762 and 12129 of 2015

1 MARIYAYEE
2 PANDIDURAI
3 SUBBAIAH

... PETITIONERS/ACCUSED NOS.2,3&5 IN
CRL.OP (MD) NO.11179/2015

T.GOVINDARAJAN

... PETITIONER/ACCUSED NO.1 IN
CRL.OP (MD) NO.11762/2015

1.NITHIYA
2.VEERASAMY

... PETITIONERS/ACCUSED NOS.6&7 IN
CRL.OP (MD) NO.12129/2015

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ALANGUDI,
PUDUKKOTTAI DISTRICT,
(CRIME NO.3/2015)

...RESPONDENT/ COMPLAINANT IN ALL THE PETITIONS

For Petitioner : M/S.K.N.GOVARDHANAN Advocate in
Crl.OP (MD) No.11179/2015

M/S.S.VIJAYAKUMAR, Advocate in
Crl.OP (MD) No.11762/2015

M/S.S.POORNACHANDRAN, Advocate in
Crl.OP (MD) No.12129/2015

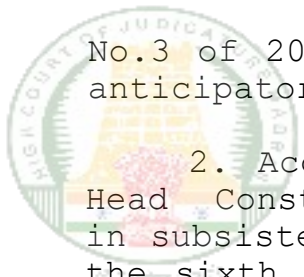
For Respondent : Govt. Advocate (Crl. Side) in
all the Petitions

For Intervenor : M/S.B.ANANDAN, Advocate
in all the Petitions

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

ORDER : The Court Made the following order :-

The petitioners/A-1, A-2, A-3, A-5, A-6 and A-7 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 417, 494 and 506(i) of I.P.C., r/w Section 4 of Tamil Nadu Women Harassment Act in Crime



No.3 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the defacto complainant, she is working as a Head Constable and when the marriage with the first accused was in subsistence, the first accused contracted second marriage with the sixth accused, who is the daughter of the seventh accused and the first accused also sent complaints to her higher officials making false allegations and also threatened her with dire consequences.

3. The learned counsel for the petitioners submitted that due to matrimonial dispute, the defacto complainant and her husband are living separately and unnecessarily all the family members of the first accused have been roped in this case.

4. It is further contended that the sister of the defacto complainant, who is deserted by her husband is living with the defacto complainant and she was ill-treating the first accused. For which, the seventh accused has advised her and therefore, they were also implicated in this case.

5. The learned counsel for the intervenor submitted that the defacto complainant is working as Head-Constable and the first accused and the defacto complainant has purchased land jointly and a house was constructed by availing loan of Rs.6,50,000/- from L.I.C in the name of the defacto complainant and she is repaying the loan amount through her salary. It is further submitted that the defacto complainant is having two children and the first accused has deserted her and also married the sixth accused, who is the daughter of the seventh accused.

6. It is further submitted that the seventh accused has lodged a complaint with the respondent police stating that her daughter aged about 17 ½ years is missing and a case was registered for girl missing, which establishes the second marriage.

7. The learned counsel for the first accused submitted that the land was purchased jointly in the name of the first accused and the defacto complainant and now the defacto complainant along with her two children are staying in the house and the first accused will not disturb their possession and enjoyment and he also filed an affidavit of undertaking to that effect.

8. Considering the above 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 arrest or on their appearance before the learned Judicial Magistrate, Alangudi, Pudukkottai District, 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 Magistrate concerned and on further condition that the first accused shall appear before



the learned Judicial Magistrate, Alangudi, Pudukkottai District, daily at 10.30 a.m., for a period of two weeks and the other petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. 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/-

29/07/2015

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

TO

1. THE JUDICIAL MAGISTRATE
ALANGUDI, PUDUKKOTTAI DISTRICT
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT
 3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ALANGUDI, PUDUKKOTTAI DISTRICT
 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.K.N.GOVARDHANAN Advocate SR.No.432500
+One cc to M/S.S.VIJAYAKUMAR, Advocate, SR.No.43064
+One cc to M/S.S.POORNACHANDRAN, Advocate, SR.No.43065
RL/8C - 5/8/2015

ORDER

IN

CRL OP(MD) Nos.11179, 11762
and 12129 of 2015

Date :29/07/2015