



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

Wednesday, the Nineteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12721 of 2015

1 P.MOHAMED IBRAHIM ALIAS IBRAHIM,
2 PEER MOHAMED,
3 MUMTAJ BEGUM, ... PETITIONER(S) / ACCUSED 1 to 3

Vs

THE STATE REP.BY THE SUB INSPECTOR OF POLICE
TENKASI ALL WOMEN POLICE STATION, TENKASI,
TIRUNELVELI DISTRICT.
IN CR. NO.26/2014 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.HAJA MOHIDEEN Advocate

For Respondent : M/S.S.Prabha Government 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.1 to 3 in Crime No.26 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 147, 148, 498(A) and 506(i) of I.P.C. and hence, seek anticipatory bail.

2.According to the defacto complainant she was married to the first accused on 19.05.2008 and her parents had provided 12 sovereigns of jewels and Rs.2 lakhs as cash and also house hold articles worth about Rs.1 lakh and subsequently, the accused have demanded 50 sovereigns of gold and Rs.50,000/- and even after meeting out the illegal demand, they asked Rs.5 lakhs from the defacto complainant and harassed her.

3.The learned counsel for the petitioners submitted that due to matrimonial dispute, the defacto complainant is residing away from the first petitioners and he issued a notice, dated 13.09.2015 for restitution of conjugal rights and thereafter, she filed a maintenance case M.C.No.32 of 2014 before the learned Judicial Magistrate, Senkottai and in that case, the first petitioners is paying Rs.5,000/- as maintenance. He would further submit that for the same allegations, the defacto complainant has filed another complaint before the respondent and the same was registered in Crime No.248 of 2015 and the accused were granted anticipatory bail in Crl.O.P(MD)No.9659 of 2015 by this Court.



4. The learned Government Advocate (Crl.Side) that at the time of compromising the matter in the respondent police station, the petitioners assaulted the defacto complainant, for which, a criminal case was also registered. He would further submit that the accused have joined together and harassed the defacto complainant demanding dowry.

5. Considering the facts and circumstances of the case and also considering the fact that the injured sustained simple injury, 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, Tenkasi 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 petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders and that the first petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders and the petitioners 2 and 3 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.

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/-
19/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

4 THE SUB INSPECTOR OF POLICE
TENKASI ALL WOMEN POLICE STATION, TENKASI, TIRUNELVELI DISTRICT.

+1. CC to M/S.A.HAJA MOHIDEEN Advocate SR.No.47712.

TS/22.08.2015/2P - 6C KBM/LIB

ORDER
IN
CRL OP(MD) No.12721 of 2015
Date :19/08/2015