



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

Friday, the Thirtieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15580 and 20884 of 2015

1 N. HAKKIM MOHAMED
2 S. SYEB NISHA
3 MATHEENA BEGAM
4 NILABARNISH
5 MOHAMED ABBAS

... PETITIONERS / ACCUSED Nos.1 to 5
IN CRL OP(MD) No.15580

HAZARA BEGAM

....PETITIONER /INVERVENOR
IN CRL OP(MD)NO.15880

1 MYDEEN FATH @ MYDEEN FATHIMA
2 ALHAJ V.V.A.SALAHUDEEN

.... PETITIONERS /ACCUSED NO.2 AND 7
CRL OP(MD) No.20884

Vs

STATE REP.BY STATE REP BY INSPECTOR OF
ALL WOMEN POLICE STATION,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
(CRIME NO. NOT KNOWN / 2015)

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S G.THIRUVARUTSELVAN Advocate

For Respondent : Govt. Advocate (Crl. Side)

For Intervenor : MR.M.S.JEYAKARTHK

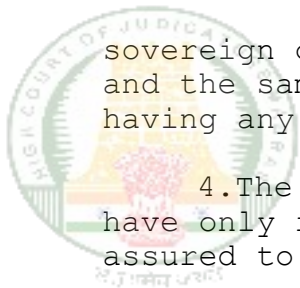
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) of I.P.C., and Section 4 of Dowry Prohibition Act, in Crime No.20 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution, the de-facto complainant was married to the first accused on 23.11.2008 and at the time of marriage, she was provided with 22 sovereign of gold jewels and Rs.1.5 lakhs of cash and other household articles for the value of Rs.1 lakh. Subsequently, the accused Nos.1 to 5 developed a wordy quarrel with the de-facto complainant demanding additional dowry and also withheld the entire articles and jewels.

<https://hcservices.ecourts.gov.in/hcservices> The counsel for the petitioners submitted that due to matrimonial dispute, a false complaint was given implicating all the family members of the first accused and it is further submitted that 6 ½



sovereign of gold jewels of the de-facto complainant was with the accused and the same is returned on 28.10.2015 and now, the accused are not having any of the articles of the de-facto complainant.

4. The learned counsel for the intervenor submitted that the accused have only returned 6 ½ sovereign of gold jewels and the accused have assured to return the entire articles to the de-facto complainant.

4. Heard the learned Government Advocate (Crl.side) appearing for the State.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Paramakudi and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the first petitioner in Crl.O.P.(MD).No.15580 of 2015 shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioners No.2 to 5 in Crl.O.P.(MD).No.15580 of 2015 and the petitioners in Crl.O.P.(MD).No.20884 of 2015 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.

7. 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/-
30/10/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI
2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
3 THE ADDITIONAL PUBLIC
PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4 STATE REP BY INSPECTOR OF
ALL WOMEN POLICE STATION, PARAMAKUDI, RAMANATHAPURAM DISTRICT.

+2. CC to M/S G.THIRUVARUTSELVAN Advocate SR.No.63783,63782