



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

Thursday, the Twenty Third day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15946 of 2014

1 M.J.MOHAMED BILAL  
2 K.S.M.MOHAMED JALEEL  
3 MIRIJA MUSARUB  
4 SHAJITHA MAHAJALEEN  
5 K.S.RAFIQ ALI  
6 NABHATH SHAHITHA  
7 K.S.SIRAJDEEN

... PETITIONERS / ACCUSED NOS.1 TO 7

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, NILAKOTTAI,  
DINDIGUL DIST, CR.NO.15 OF 2014 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.SHANMUGASELVAM Advocate

For Respondent : MR.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/accused apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498 (A), 406 IPC r/w Section 4 of Dowry Prohibition Act in Crime No.15 of 2014 and hence, seek anticipatory bail.

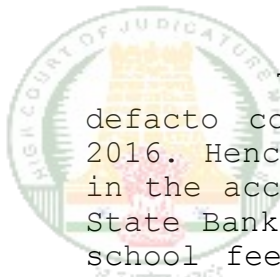
2.According to the defacto complainant, she was married to the first accused on 04.12.2005 and she was provided with 125 sovereigns of jewels and a Maruthi Alto Car and other house hold articles and cash of Rs.10,00,000/- at the time of marriage and during the lawful wedlock, a daughter, named as Mahadiya Thahaseen, was born to them and thereafter, the accused have demanded additional dowry of Rs.30/- lakhs and harassed her.

3. The learned counsel for the petitioners submitted that due to matrimonial dispute the entire family members of the first accused have been roped in this case and they are innocent persons and they have not committed any offence.

4.The learned counsel for the intervenor vehemently opposed granting of anticipatory bail to the petitioners emphasizing the allegations made in the complaint and also submitted that even the first accused is not taking care and maintaining his own daughter.

5. Heard the Government Advocate (Crl. Side) appearing for the State.

6. The first accused has filed an affidavit dated 20.07.2015 undertaking to pay Rs.5000/- per month for maintenance of his daughter. The learned counsel further submitted that the first petitioner is ready to give the school fees of her daughter on production of receipts.



7. The learned counsel for the intervenor submitted that the defacto complainant has paid Rs.20,615/- for the Academic year 2015 - 2016. Hence, the first petitioner is directed to deposit the said amount in the account of the defacto complainant in SB Account No.34189767254 in State Bank of India, Batlagundu Branch and continue to deposit the future school fees and the maintenance amount of Rs.5000/- in the same account every month without fail.

8. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Nilakkottai, and on each of them executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with **two common sureties** each for a like sum to the satisfaction to the learned Magistrate concerned and on further condition that the 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.

9. 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/-

23/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,  
NILLAKKOTTAI, DINDIGUL DISTRICT.
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE ADDL.PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, NILAKOTTAI,  
DINDIGUL DISTRICT.

+3cc to Mr.D.Shanmuganathasethupathy, SR.No.40763

+1cc to Mr.N.Shanmugaselvam, SR.no.41224

Sm:AMF:SARI:28.07.2015:2P/9C

ORDER

IN

CRL OP(MD) No.15946 of 2014

Date :23/07/2015