



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

Thursday, the Twenty Sixth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.15948 of 2014

1 GUNAKARAN
2 DHANALAKSHMI
3 THILAGA @ RAJA THILAGAVATHI
4 SUGANAYA

... PETITIONERS / ACCUSED 1 - 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPPARANGUNDRAM,
MADURAI DIST, CR.NO.98/2014 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498-A, 506(i) IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.98 of 2014, seek anticipatory bail.

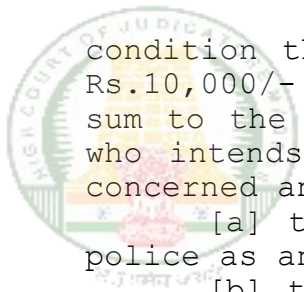
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent . The respondent police is present.

3.Initially the matter was referred to Mediation Centre and failure reported dated 11.03.2015 has been received.

4. It is the case of the prosecution that the defacto complainant and Gunakaran the first petitioner were married on 07.09.2001 and they have no issues. It is alleged by the defacto complainant that her husband is subjecting her to unnatural sex. The allegation against the first petitioner is very serious and hence, this Court is not inclined to grant anticipatory bail to the first petitioner. This petition against the first petitioner is dismissed.

5. As regards the petitioners 2, 3 and 4, since they are relatives of the first petitioner, this Court is inclined to grant anticipatory bail to them.

6. Accordingly, the petitioners 2, 3 and 4 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Mahila Court, (Judicial Magistrate Level), Madurai, on



condition that each of the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners 2, 3 and 4 shall appear before the respondent police as and when required for interrogation.

[b] the petitioners 2, 3 and 4 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 2, 3 and 4 shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioner is complying with the order or not.

sd/-
26/03/2015

/ TRUE COPY /

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

TO

1.THE MAHILA COURT
(JUDICIAL MAGISTRATE LEVEL), MADURAI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPPARANGUNDRAM,
MADURAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15948 of 2014
Date :26/03/2015

rg.31.03.2015 2p.5c.