



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

Thursday, the Twenty Seventh day of August Two Thousand Fifteen

PRESENT

THE HON'BLE MRS.JUSTICE S.VIMALA

CRL OP(MD) No.16520 of 2015

1. A. RAJIYA BANU
2. W. NOORUL FARITHA
3. J. RABEES MARIYAN
4. A. JANUFA
5. J. NAJIMA

... PETITIONERS/ ACCUSED NOS.3 TO 7

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
PATTUKOTTAI,
THANJAVUR DISTRICT.
CRIME NO 9 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S T.LAJAPATHI ROY Advocate

For Respondent : MS.S.PRABHA, Govt. Advocate (Crl. Side)

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

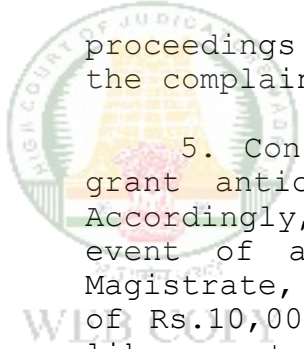
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.3 to 7 in Crime No.9 of 2015 on the file of the respondent police, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 294(b), 406, 451, 506(1) r/w.109 IPC, seek anticipatory bail.

2.Heard both sides.

3.The petitioners are stated to be in-laws of the defacto complainant. The marriage is stated to have taken place between the defacto complainant and one Jamal Mohammed on 05.02.1992. Even in the complaint, it is stated that from 2000 onwards, they have been separately living and on coming to know that the husband has married somebody else in United States of America, she came to the house of the husband and wanted herself to be accommodated in the house of her husband. It is alleged that these accused persons did not permit the defacto complainant to stay along with Jamal Mohammed on the ground that she did not bring enough dowry. This complaint itself has been given in the year 2013.

<https://hcservices.courts.govt.in/hcservices/> have been filed before this Court to show that the husband of the defacto complainant divorced her long back through Jamaath by the document dated 04.11.1997. The legal validity of the divorce



proceedings is a different issue, but the fact remains that even as per the complaint, they must have been living apart for quite a long time.

5. Considering the stated circumstances, 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, Pattukkottai 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 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.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

27/08/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
PATTUKOTTAI,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S T.LAJAPATHI ROY Advocate SR.No.49625

ORDER
IN
CRL OP(MD) No.16520 of 2015
Date :27/08/2015

NS/AMF/SAR(II)/28.08.2015:2P/6C