



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

Monday, the Second day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1659 of 2015

MAHALAKSHMI

... PETITIONER/ACCUSED NO.4

Vs

STATE REP BY

THE INSPECTOR OF POLICE

CHINNALAPATTI POLICE STATION, DINDIGUL DISTRICT,
DINDIGUL.

CRIME NO.39/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.J.LAWRANCE Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN

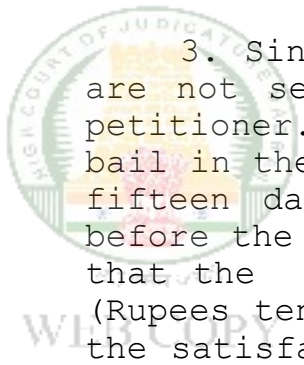
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 304(B) IPC, in Crime No.39 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that one Manikandan - Accused No.1 got married to one Kalaivani, the deceased in this case, on 22.05.2013 and they have one child through the wedlock. It is seen that their matrimonial life ran into rough weather. As her husband's family was allegedly demanding dowry, she committed suicide by hanging on 22.01.2015. Initially, the case was registered under Section 174 of the Code of Criminal Procedure and thereafter, it was altered into one under Sections 498(A) and 304(B) of the Indian Penal Code. An enquiry by the Revenue Divisional Officer has been conducted and completed. The accused Nos.1 to 3 were arrested and they are in judicial custody. Insofar as the petitioner herein is concerned, she is the sister of A-1 and she got married to one Damothanran and she lives in Thirupur, separately. The allegation against the petitioner is that whenever she used to come to her parental home, she would join with others in ill-treating the deceased.



3. Since the allegations levelled against the petitioner herein are not serious, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.I Dindigul, on condition that 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 petitioner shall report before the respondent police twice a day at 10:30 in the morning and 06:30 in the evening for a period of one week and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-

02/02/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, DINDIGUL
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE
CHINNALAPATTI POLICE STATION, DINDIGUL DISTRICT, DINDIGUL.

+1. CC to M/S.J.LAWRANCE Advocate SR.No.4726
RL/6C - 4/2/2015

ORDER

IN

CRL OP(MD) No.1659 of 2015

Date :02/02/2015