



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

Wednesday, the Twenty Eighth day of January Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.17007 of 2014

1 SENTHIL PRABU
2 BALUSAMI
3 SUSEELA
4 SENTHIL RANI

... PETITIONERS / ACCUSED NOS.1 TO 4

VANITHA

... INTERVENOR

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
USILAMPATTI, MADURAI DISTRICT.
CRIME NO.31 OF 2014 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.SARAVANAN Advocate

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

For Intervenor : MR.C.VAKEESWARAN, Advocate

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

ORDER : The Court Made the following order :-

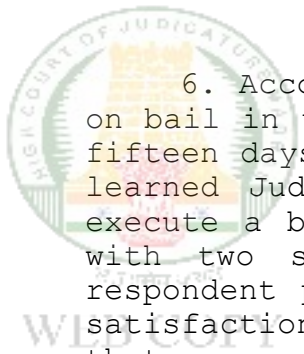
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498-A, 406 of Indian Penal Code and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.31 of 2014 on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that the first petitioner got married to the *defacto* complainant on 22.02.2013. On 06.07.2014, she delivered a female child and thereafter, she continues to stay with her parents house, because of the untold sufferings, she had undergone at the hands of the first petitioner.

3. It is alleged by the *defacto* complainant that the first petitioner has pledged a jewellery in Muthoot Finance.

4. Since the allegation against the first petitioner is very serious in nature, this Court is not inclined to grant anticipatory bail to the first petitioner.

5. As regards the petitioners 2,3 and 4 herein, who are the relatives of the first petitioner, relying upon the Judgment of the Hon'ble Supreme Court in *Arnesh Kumar Vs.State of Bihar* reported in 2014 (8) Scale 250, 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 learned Judicial Magistrate, Usilampatti, on condition that they shall execute a bond for a sum of Rs.10,000/- each (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 report 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 Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners 2,3 and 4 in accordance with law as if the conditions have been imposed and the petitioners 2,3 and 4 released on bail by the learned Judicial 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].

7. Insofar as the first petitioner herein is concerned, the petition for anticipatory bail stands dismissed.

sd/-
28/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, USILAMPATTI, MADURAI DISTRICT.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, USILAMPATTI, MADURAI DISTRICT.
4. THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SARAVANAN Advocate SR.No. 3638

+1cc to MR.C.VAKEESWARAN, ADVOCATE IN SR : 3707

SR : 30.01.2015 : 2P/7C

ORDER
IN
CRL OP(MD) No.17007 of 2014
Date :28/01/2015