



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

Friday, the Sixteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17252 of 2015

1 GOMATHI
2 RUKUMANI

... PETITIONERS/ACCUSED NOS.2&3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SRIRANGAM, TRICHY DISTRICT.
(CRIME NO.16/2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S B.ANANDAN Advocate
For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

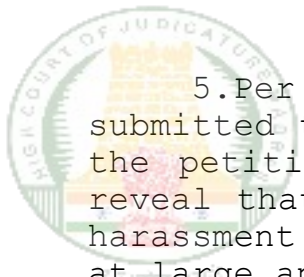
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 and A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 498(A) and 304(B) of IPC, in Crime No.16 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the daughter of the de-facto complainant namely Rajalakshmi was married to A1 on 12.04.2012 and from the date of marriage, A1 along with the other accused had tortured the daughter of the de-facto complainant namely the deceased Rajalakshmi demanding more dowry and hence, she committed suicide on 01.07.2015.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the petitioners are mother-in-law and sister-in-law of the de-facto complainant and as per the suicide note, the entire allegations were made only against A1 and A4 and there is absolutely no reference about the petitioners. It is further contended that the 2nd petitioner/A3 is having two child and first child is studying in 3rd standard in Chennai, while the 2nd child is aged about 4 years and in view of the pendency of the case, they are not able to concentrate their normal work. It is further submitted that A4, who is working in TNEB was placed under suspension and the departmental enquiry is going on.

4.The learned counsel further submitted that after dismissal of the earlier application, A1 was released on bail and substantial part of the investigation is already over and in the above facts, this application can be considered.



5.Per contra, learned Government Advocate (Criminal side) submitted that though there is no specific allegations made against the petitioners in the suicide note, the report of the RDO would reveal that the deceased Rajalakshmi committed suicide due to dowry harassment of the accused. It is further submitted that A4 is still at large and he is not attending the office.

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6.Considering the above facts, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.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.III, Trichy 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 reside in Chennai and shall appear before the Inspector of Police, attached to All Women Police station, Vadapalani, Chennai daily at 06.00 p.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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.

9.It is made clear that A4 shall not take advantage of the order passed in this case, as serious allegations are made against him in the suicide note.

Sd/-

16/10/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.III, TRICHY
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT
- 3.THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, VADAPALANI
CHENNAI
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 5.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SRIRANGAM, TRICHY DISTRICT.

+1. CC to M/S B.ANANDAN Advocate SR.No.62167
RL/7C - 27/10/2015

ORDER

IN

CRL OP(MD) No.17252 of 2015

Date :16/10/2015