



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

Thursday, the Eighth day of October Two Thousand Fifteen

PRESENT

**THE HON`BLE MR JUSTICE K.KALYANASUNDARAM**

CRL OP(MD) No.19464 of 2015

1 MAHAMUTHUA BEEVI  
2 KADAR MOIDEEN  
3 NOORUL KUDHA

.. PETITIONERS/ACCUSED NO.2,3 AND 4

Vs

THE STATE REPRESENTED BY  
THE INSEPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
SRI RANGAM,  
TRICHY DISTRICT,  
(IN CRIME NO.20 OF 2014)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.KARUNANIDHI Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate ( Crl. Side)

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

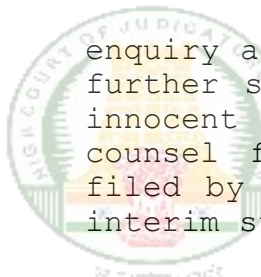
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 to 4, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 294(b) and 506(ii) of I.P.C., r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.20 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the prosecution, the de-facto complainant was already married to one Manikandan and out of their wedlock, they are having two children, while so in the year 2000, the de-facto complainant had gone to Maldives as servant maid and when she was in Maldives, her husband died in the year 2003 and thereafter, the first accused married her and the same was also registered on 21.03.2006.

3. It is the further case of the de-facto complainant that the accused have demanded Rs.5 lakhs for doing business of the first accused and for non-fulfilment, she was sent out from the matrimonial home.

4. The learned counsel for the petitioners submitted that the first accused had been in Maldives for long number of years along with his family and the de-facto complainant was working as a servant maid and the first accused has never married the de-facto complainant, but by fabricating documents, she has lodged a complaint. It is further submitted that the first complaint given to All Women Police Station, Srirangam was enquired and closed as Mistake of Fact and the second complaint given to All Women Police Station was also closed after proper



enquiry and the present complaint is given with an ulterior motive. It is further submitted that the petitioners are senior citizens and they are innocent and they have been falsely roped in this case. The learned counsel for the petitioners further submitted that the quash petition filed by the petitioner in Crl.O.P.(MD).No.965 of 2015 was admitted and interim stay was granted by this Court on 22.01.2015.

5. The learned Government Advocate (Crl.side) objected granting of bail to the petitioners contending that the de-facto complainant is already a widow and she was cheated by the accused and she was driven away from the matrimonial home demanding additional dowry.

6. However, considering the facts and circumstances of the case, 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 their arrest or on their appearance before the learned Judicial Magistrate No.III, Trichy and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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.

sd/-  
08/10/2015

/ 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 INSEPECTOR OF POLICE,ALL WOMEN POLICE STATION,  
SRI RANGAM,TRICHY DISTRICT,

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

+1. CC to M/S.R.KARUNANIDHI Advocate SR.No.59552

ORDER  
IN  
CRL OP(MD) No.19464 of 2015  
Date :08/10/2015

GJM/JGB/SAR-II-14.10.15-2P-6C