



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

Wednesday, the Eighteenth day of February Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2039 of 2015

1 RAJKUMAR
2 KRISHNAMOORTHY
3 RAJESWARI
4 KARTHI @ KARTHIKEYAN
5 KANNAN
6 N.KALIYAMOORTHY

... PETITIONER(S) / ACCUSED 1 to 6

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAUKUDI,
SIVAGANGAI DISTRICT. (CR.NO.1/2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.M. MARI CHELLIAH PRABHU Advocate

For Respondent : M/S.P.KANNITHEVAN Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

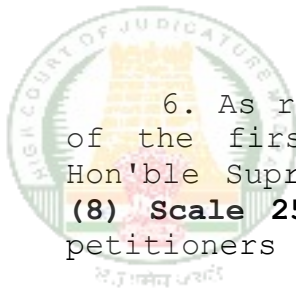
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) I.P.C. and Section 4 of Women Harassment Act in Crime No. 1 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side).

3. This case has been registered pursuant to the directions issued by the learned Judicial Magistrate, Karaikudi in Crl.M.P.No.10483 of 2014 under Section 156(3) of the Code of Criminal Procedure. The case of the prosecution is that the first petitioner got married to the defacto complainant on 10.09.2010 and they have one child through the wedlock. The defacto complainant made an allegation that the jewelry and other articles are in the custody of the petitioners, whereas according to the petitioners, the jewelry and other articles were taken away by her, when she left to the matrimonial home.

4. On a reading of the complaint, the defacto complainant has made very serious allegations against her husband Rajkumar who is the first petitioner.

5. Taking into consideration the serious allegations as against the first petitioner, this Criminal Original Petition is dismissed so far as the first petitioner is concerned.



6. As regards the petitioners 2 to 6 are concerned, they are relatives of the first petitioner. Therefore, 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 the petitioners 2 to 6 herein.

7. Accordingly, the petitioners 2 to 6 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 No.I, Karaikudi, Sivagangai District, on condition that each of 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 petitioners 2 to 6 shall report before the respondent police as and when required for interrogation.

[b] the petitioners 2 to 6 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 2 to 6 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 in accordance with law as if the conditions have been imposed and the petitioners 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]**.

sd/-
18/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI.
 - 2 Do Through THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT.
- +1. CC to M/S.C.M. MARI CHELLIAH PRABHU Advocate SR.No.7768.

TS/24.02.2015/2P-6C

<https://hcservices.ecourts.gov.in/hcservices/>

ORDER IN
CRL OP(MD) No.2039 of 2015
Date :18/02/2015