



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

Tuesday, the Seventeenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.20921 of 2015

1 K.A.O.MOHAMED HUSAIN
2 MYDEEN FATHIMA @ SELVI
3 SYED ABDUL WAHAB
4 MUBEEN THAJ
5 THANZEEM FARHANA
6 UMAR SITHIK

... PETITIONERS/ACCUSED NOS.1 TO 6

Vs

STATE REP BY'
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TALLAKULAM,
MADURAI CITY, MADURAI DISTRICT
(CRIME NO.46/2015) ... RESPONDENT / COMPLAINANT

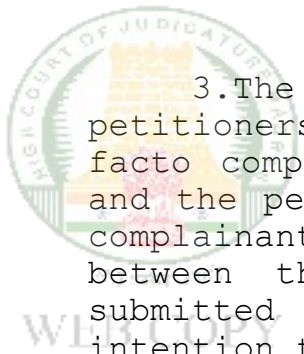
For Petitioner : M/S G.MARIMUTHU Advocate
For Respondent : M/S.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A6 in Crime No.46 of 2015 on the file of the respondent police apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 403, 406 and 506(i) IPC and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the son of the first petitioner and the de-facto complainant was solemnized on 21.11.2010 as per Muslim rites and customs and on 05.11.2015, the husband of the de-facto complainant met with an accident and expired. During his life time, the husband of the de-facto complainant received jewels from her and mortgaged it in Karur Vysya Bank and that amount was spent for his business purpose and he has sustained heavy loss in the business and expired on 05.11.2014 without completing the debts. Now, the de-facto complainant lodged a complaint against the family members of her husband to repay the loan amount and return the jewels.



3.The learned counsel for the petitioners would submit that the petitioners are living in Sivakasi and after the marriage, the de-facto complainant and her husband were living together at Chennai and the petitioners have not received any jewels from the de-facto complainant and they are no way connected with the transaction between the de-facto complainant and her husband. He further submitted that the present complaint has been lodged only with an intention to settle the family dispute before the respondent police.

4. Heard the learned Government Advocate (crl. side).

5.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 arrest or on their appearance before the learned Judicial Magistrate No.II, Madurai 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 appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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/-
17/11/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE No.II , MADURAI
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
3.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TALLAKULAM, MADURAI CITY,
MADURAI DISTRICT
4.THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1. CC to M/S G.MARIMUTHU Advocate SR.No.65843
RL/6C/SKN/SK/SARI/18/11/2015

ORDER
IN
CRL OP(MD) No.20921 of 2015
Date :17/11/2015