



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

Monday, the Fifth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23390 of 2014

WEB COPY

1 ALAGAMMAL
2 RAJASEKAR
3 KAVITHA

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM,
MADURAI DT,
CRIME NO.NOT KNOWN OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.LAWRANCE Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

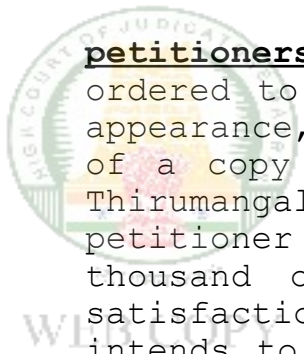
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 494 and 498(A) IPC and Section 4 of Dowry Prohibition Act in Crime No.66 of 2014 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) appearing for the State. The Investigating Officer is also present in this Court.

3. The case of the prosecution is that the defacto complainant got married to one Selvakumar (A1) on 13.09.2007 and they have two children through their wedlock. It is alleged by the defacto complainant that the said Selvakumar has contracted second marriage with one Rajeswari. It is also alleged that Selvakumar and his mother Alagammal (1st petitioner herein) were demanding more and more dowry from the defacto complainant and were subjecting her to untold cruelty.

4. Since allegations against Alagammal are indeed very serious, this Court is not inclined to grant anticipatory bail to the 1st petitioner. As regards Rajasekar and Kavitha, they are brother and sister of Selvakumar and the allegations are not serious as against them. Therefore, **I am inclined to grant anticipatory bail to the**



petitioners 2 and 3 alone. Accordingly, the petitioners 2 and 3 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, Thirumangalam, Madurai 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 2nd petitioner shall report before the respondent police daily at 10:30 a.m. for a period of two weeks and thereafter as and when required and the 3rd petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioners 2 & 3 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 2 & 3 shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 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]**.

This petition in respect of the 1st petitioner is dismissed.
sd/-

05/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE MADURAI DISTRICT

3 THE INSPECTOR OF POLICE ALL WOMEN POLICE STATION,
THIRUMANGALAM, MADURAI DT,

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

+1. CC to M/S.J.LAWRANCE Advocate SR.No.57

ORDER

IN

CRL OP(MD) No.23390 of 2014

Date :05/01/2015