



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

Thursday, the Twelfth day of March Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4589 of 2015

1 RAJA @ KHADAR MEERAN
2 JANNATH BEGAM
3 TAJ @ TAJUDEEN
4 ABDUL KALAM @ ABDUL KALAM AZAD
5 SAHARBANU

... PETITIONERS /ACCUSED 2 to 6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VADAMADURAI, DINDIGUL DISTRICT.
CRIME NO.5/2015

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.KANNAN, Advocate for
M/S.N.RAHAMADULLAH, Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

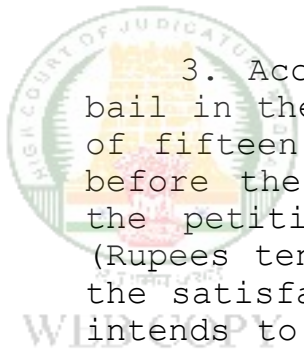
For Intervener : MR.K.GOKUL, Advocate

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 offence punishable under Sections 498(A), 406 and 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.5 of 2015 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the Accused No.1, viz., Sahabudeen got married to the *de facto* complainant - Parvin. It is submitted that the *de facto* complainant was already married to one person and through him, she has four children. It is the case of the petitioner that the *de facto* complainant concealed the said factum of marriage, which has been disputed by the learned counsel for the *de facto* complainant. While so, on the complaint lodged by the *de facto* complainant, a case in Crime No.5 of 2015, was registered by the respondent police and the first accused was arrested and released on bail. These petitioners are relatives of A-1. 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 herein.



3. Accordingly, the petitioners 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, Natham, on condition that the petitioners 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 shall report before the respondent police as and when required for interrogation.

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

[c] the petitioners 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]**.

sd/-

12/03/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NATHAM, DINDIGUL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, VADAMADURAI, DINDIGUL DISTRICT.

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

+1. CC to M/S.N.RAHAMADULLAH, Advocate SR.No.12100.

ORDER IN

CRL OP(MD) No.4589 of 2015

Date :12/03/2015

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