



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

Thursday, the Twelfth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.4602 of 2015

WEB COPY

CHELLAMMAL

... PETITIONER/ACCUSED No.5

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

SRIVILLIPUTHUR, VIRUDHUNAGAR DT,

CRIME NO.23/2014

... RESPONDENT/COMPLAINANT

For Petitioner : MR.CHAKARAVARTHY, Counsel for

M/S.EDDY AND EMOSS LAW FIRM Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

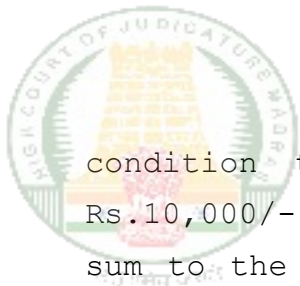
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406 and 506(i) IPC & Section 3 of Dowry Prohibition Act and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.23 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant, in this case, got married to one Vimalanathan, A-1, on 15.04.2013 and their matrimonial life ran into rough weather. On the complaint lodged by *de facto* complainant, this case has been registered by the police. This Court had already granted Anticipatory Bail to the first accused in Crl.OP[MD].No.14172 of 2014, dated 02.02.2015. This petitioner is the maternal aunt 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 petitioner herein.

3. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukottai, Virudhunagar District, on



condition that 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 petitioner shall report before the respondent police as and when required for interrogation.

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

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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,
ARUPPUKKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SRIVILLIPUTHUR, VIRUDHUNAGAR DT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.EDDY AND EMOSS LAW FIRM Advocate SR.No.12052

ORDER IN

CRL OP(MD) No.4602 of 2015

Date :12/03/2015