



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

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.61 of 2015

1 U.MUTHUKARUPPAN
2 U.NATCHIAMMAI
3 S.THENAMMAI
4 S.SEETHA
5 N.SENTHIL KUMAR

... PETITIONERS/ACCUSED 1 TO 5

Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE
KARAIKUDI ALL WOMEN POLICE STATION,
KARAIKUDI.
CRIME NO.26/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.D.JAGADISH CHANDIRA Advocate
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

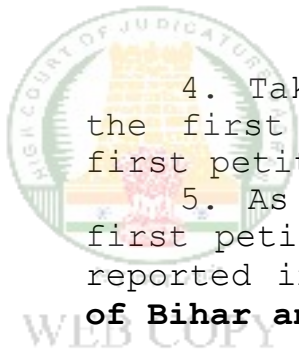
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 406 IPC and Section 4 of TNPWH Act in Crime No.26 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner, namely, Muthukaruppan got married to the defacto complainant on 12.06.2013 and they have no issues. It is stated that it is the second marriage for both of them. It is alleged by the defacto complainant that she was subjected to torture on pretext that she is looking ugly. On reading of the complaint it appears that the first petitioner retained her diamond earrings and other jewelleryes which were given by her and had chased her out from the matrimonial home.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the State.



4. Taking note of the gravity of the allegations made against the first petitioner, this petition is dismissed as against the first petitioner.

5. As regards the other petitioners, who are relatives of the first petitioner by relying upon the judgment of the Supreme Court reported in **(2014) 3 MLJ (Crl) 353 (SC) in Arnesh Kumar Vs. State of Bihar and Another**, I am inclined to grant anticipatory bail.

6. Accordingly, the petitioners 2 to 5 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, on condition that the petitioners shall execute a separate 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 5 shall report before the respondent police as and when required for interrogation.

[b] the petitioners 2 to 5 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 2 to 5 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 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]**.

Petition dismissed as against First Petitioner.

sd/-

07/01/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, KARAIKUDI

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT

3.THE ADDITIONAL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4.THE SUB INSPECTOR OF POLICE

KARAIKUDI ALL WOMEN POLICE STATION,

KARAIKUDI.

+1. CC to M/S.A.D.JAGADISH CHANDIRA Advocate SR.No.552

RL/6 C- 12/1/2015

ORDER

IN

CRL OP(MD) No.61 of 2015

Date :07/01/2015