



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

Thursday, the Thirteenth day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.6220 of 2015

1 MANJU M.GEORGE

2 M.G.GEORGE

3 MARIAMMA GEORGE

... PETITIONERS / ACCUSED NO.1 TO 3

MANGAI KASTURI

... INTERVENER

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, AWPS, TALLAKULAM,

MADURAI DISTRICT. CR. NO.3/2015. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.GANDHI, Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

For Intervener : M/S.N.MOHIDEEN BASHA,ADVOCATE

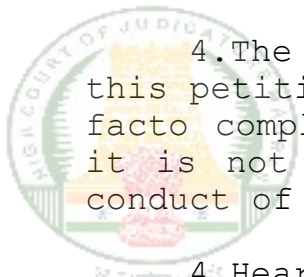
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406 and 506(i) of I.P.C., r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.3 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the first accused married the de-facto complainant in the year 2008 at Coimbatore and they were living in Kerala, after the first accused was appointed as a lecturer in Union Christian College and thereafter, the de-facto complainant was appointed as a lecturer in Meenakshi Government Arts and Science College at Madurai and while the first marriage was substituting, the first accused had contracted a second marriage and they were living together. When it was questioned, the accused threatened the de-facto complainant with dire consequences.

3.The learned counsel for the petitioners submitted that in the year 1994 both the de-facto complainant and the first accused were doing Ph.D in the State of Gujarat and loved each other and in the year 2005 marriage was solemnized and due to matrimonial dispute, the complaint was given against all the family members of the first accused, who are the senior citizens aged about 70 and 66 years. He further submitted that A2 and A3 are the parents of A1.



4.The learned counsel for the intervenor vehemently opposed this petition contending that the first accused has deserted the de-facto complainant by marrying another lady in the same college and it is not the normal case of dowry complaint and considering the conduct of the accused, they are not entitled for anticipatory bail.

4.Heard the learned Government Advocate (Crl.side) appearing for the State.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.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 first petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation and the petitioners No.2 and 3 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.

8. 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/-
13/08/2015

/ 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.THE CHIEF JUDICIAL MAGISTRATE MADURAI.
- 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, AWPS, TALLAKULAM,MADURAI DISTRICT.

+1. CC to M/S.R.KARUNANIDHI Advocate SR.No.46143

ORDER
IN
CRL OP(MD) No.6220 of 2015
Date :13/08/2015