



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

Wednesday, the Twentieth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.8984 of 2015

1 BOSE
2 SUBRAMANI
3 DHAVAMANI
4 RAMAIAH
5 AMUTHA
6 LATHA
7 SEKAR

... PETITIONERS/ACCUSED 1 to 7

Vs

STATE REP BY THE INSPECTOR OF POLICE
MATHAGUPATTY POLICE STATION,
SIVAGANGAI DISTRICT.

(CR.NO.105 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.BENAZIR BEGUM Advocate

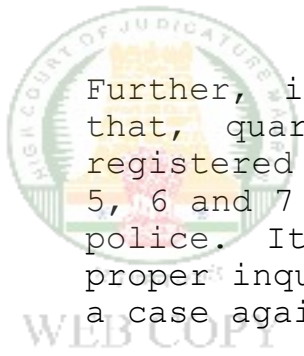
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A7, who apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 323, 326, 355 and 307 IPC, in Crime No.105 of 2015, have come forward with the present petition seeking the relief of anticipatory bail.

2. It is specifically stated in the petition that the case of the prosecution is that the *defacto complainant*, namely Sivaraman, lodged a complaint before the respondent police on 03.05.2015 at 05.30 p.m. alleging that the first petitioner along with the others attacked the *defacto complainant* with an intention to dishonour him. It is further stated in the petition that the first petitioner is the son of the petitioners 2 and 6. The third petitioner is the mother of the petitioners 5, 6 and 7. Further, it is specifically pointed out in the petition that the *defacto complainant's* elder sister namely Thangamalar and the 7th petitioner loved each other and they got married in the year 2002. From the date of the said marriage, the *defacto complainant* started to give trouble to the family members of the 7th petitioner and instigated his sister too.



Further, it is specifically pointed out in the petition, due to that, quarrel arose between the parties, and cases have been registered against the defacto complainant and the petitioners 1, 3, 5, 6 and 7 in Cr.Nos.25 and 26 of 2015 on the file of the respondent police. It is specifically stated in the petition that without proper inquiry into the matter, the respondent police has registered a case against the petitioners.

3. In order to support the various statements and submissions made in the petition, the learned counsel for the petitioners has filed a copy of the First Information Report in Cr.No.105 of 2015.

4. Heard the learned Government Advocate (Criminal Side) and also the submissions made by the learned counsel for the petitioners.

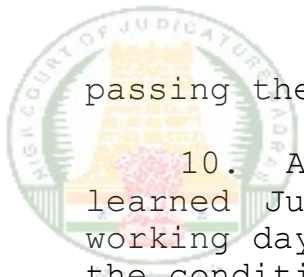
5. On a careful perusal of the averments made in the petition and also the First Information Report, it is found that there is a family dispute between the petitioners and the *defacto complainant*. The petitioners 3, 5 and 6 are ladies and it is also reported that the 6th petitioner's daughter is in the advanced stage of pregnancy and she has to necessarily take care of her daughter. Further, the exact role of the accused must be properly Comprehended before arrest is made. Further, there should be prevention of harassment, humiliation and unjustified detention of the petitioners herein.

6. Though sufficient time has been granted to the respondent police to file relevant records, in order to disagree with the various averments made in the present petition, they have not filed any such material or relevant records. Further, the respondent police have not furnished any acceptable reasons for not filing the said material records, though the petition has been filed on 05.05.2015 itself. Further, in the present petition, it is clearly pointed out that accusations have been made only with the object of injuring or humiliating the petitioners, by averting them.

7. Considering the above mentioned facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

8. 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.I, Sivagangai, 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.

9. It is also represented by the learned counsel for the petitioners that the petitioners 3, 5 and 6 are ladies and the 6th petitioner's daughter is in the advanced stage of pregnancy and she has to take care of her daughter and hence, it is convenient for them to report before the learned Judicial Magistrate No.I, Madurai. Considering the said details and circumstances, this Court is



passing the appropriate condition.

10. Accordingly, the petitioners shall report before the learned Judicial Magistrate No.1, Madurai, at 10.30 a.m. on all working days until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

11. The petitioners shall appear before the Magistrate concerned 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/-
20/05/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE,
MATHAGUPATTY POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr. Benazir Begum, Advocate Sr.No. 26017

ORDER
IN
CRL OP(MD) No.8984 of 2015
Date : 20/05/2015

AA/26.05.2015/3p - 6c/