



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

Tuesday, the Fifth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.24790 of 2015

WEB COPY

1 S.MOHAMED SAMSUL HUTHA
2 S.RABIYATHUL ATHABIA
3 NISARA BANU
4 S.SYED IBRAHIM
5 SULTHAN IBRAHIM
6 S.SATHIKUL AMEEN
7 S.JAHIR HUSSAIN
8 JALEEL RAHMAN

..PETITIONERS/ACCUSED Nos.1 to 8

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI,
MADURAI DISTRICT.
CRIME NO.49 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioners : MR.M.AJMAL KHAN, Senior Counsel for
M/S.AJMAL ASSOCIATES

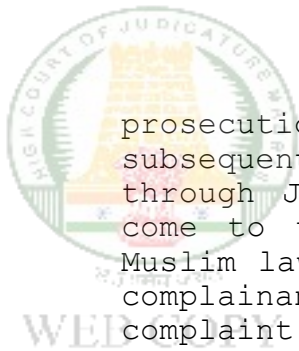
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, in Crime No.49 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406, and 506(i) IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act and hence, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnised on 22.01.2010 and at the time of marriage, 20 sovereigns of gold jewels were given to the defacto complainant by her parents. After marriage, the petitioner demanded dowry of Rs.10 lakhs and tortured the defacto complainant. Due to non-pregnancy of the defacto complainant, they were advised to take treatment. But the first petitioner did not co-operate for taking treatment. While the defacto complainant questioned the same, she was thrown out from the matrimonial home by the petitioners.

3.The case of the petitioners is that the first petitioner is the husband of the defacto complainant and other petitioners 2 to 8 are in-laws of the defacto complainant and the petitioners are innocents and they have not committed any offence as alleged by the



prosecution. Due to some dispute, she left the matrimonial home and subsequently, the petitioners have approached the defacto complainant through Jamath for re-union and the defacto complainant refused to come to the matrimonial home and thereafter on 02.12.2015 as per Muslim law the first petitioner issued a Taluk Notice to the defacto complainant and after receiving notice she has given a false complaint.

4. The learned Government Advocate(Crl. Side) submitted that the petitioners harassed the defacto complainant by demanding more dowry.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. 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 their executing 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 learned Magistrate concerned and on further condition that the petitioners 1, 4, 5, 6, 7 and 8 shall appear before the respondent police daily at 10.00 a.m until further orders and the petitioners 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.

6.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/-
05/01/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THALLAKULAM, MADURAI, MADURAI DISTRICT.

+1. CC to M/S.AJMAL ASSOCIATES SR.No.564

akm/07.01.2016/ 2p-6c/MP/PM/SAR-I