



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

Tuesday, the Fifth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10238 of 2016

POOMADEVI

... PETITIONER/11th ACCUSED

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT,
CRIME NO. 35/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.S.JEYAKARTHIK Advocate

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

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

ORDER : The Court Made the following order :-

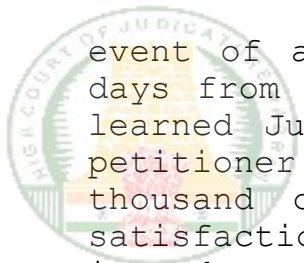
The petitioner, who is arrayed as accused No.11, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494, 506(i) and 109 of IPC, in Crime No.35 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons demanded more dowry from the defacto complainant and tortured her. When she refused to give additional dowry, she was threatened by the accused persons that they will arrange marriage to A1 with the petitioner. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. The marriage between the defacto complainant and A1 was solemnized on 06.07.1998. For the past 10 years the defacto complainant and A1 are not living together. With ulterior motive, false complaint is given.

4.It is submitted by the learned Government Advocate (Crl.Side) that the defacto complainant and A1 are husband and wife. While the marriage is in force, the petitioner married A1 and female child was born to the petitioner and A1.

5.Considering the facts of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner 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, Thirumangalam, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-

05/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.S.JEYAKARTHIK Advocate SR.No.35038
AM

CSL/GSV-PM/SAR-III/12.07.2016 : 2P/6C

ORDER

IN

CRL OP(MD) No.10238 of 2016

Date : 05/07/2016