



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

Monday, the Twenty Ninth day of August Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP(MD) No.10379 of 2016

1 HALIBULLA
2 H. DOULATH BEGUM
3 H. ROSALINA BEGUM
4 H. REHANA PARVIN

... PETITIONERS/ACCUSED No.2to5

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THENI, THENI DISTRICT,
CR NO. 13/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : MISS A.HAFIZA Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

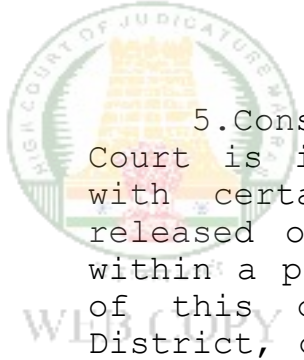
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 to 5, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A), 406, 294(b), 506 (i) IPC and Section 4 of Dowry Prohibition Act, in Crime No.13 of 2016 on the file of the respondent Police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the de facto complainant namely, S.Mumtaj Begum and one Mohammed Mansoor was held on 23.05.2007. Due to some matrimonial dispute, the de facto complainant was driven away from the matrimonial home. On 02.06.2016, the de facto complainant gave a complaint stating that the petitioners are arranging another marriage to her husband. Hence, a case in Crime No.13 of 2016 has been registered against the petitioners, who are in-laws of the de facto complainant.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.

4.Heard the the learned Government Advocate (Crl.Side).



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they 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, Theni District, on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties 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 petitioners shall report before the respondent Police as and when required.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners are complying with the conditions or not.

sd/-
29/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1. CC to MISS A.HAFIZA Advocate SR.No.48013

ORDER IN
CRL OP(MD) No.10379 of 2016
Date :29/08/2016