



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

Tuesday, the Twenty Eighth day of June Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.10497 of 2016

1 M.N. PILLAI @ NADESH
2 CHIENBAGAVALLI
3 MADHUSOOTHANA PILLAI
4 M.A. PILLAI @ MAHESH
5 MARTHINI @ EASWARI

... PETITIONER/ACCUSED No.1to5

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KANYAKUMARI, KANYAKUMARI DISTRICT,
CR NO. 9/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.PRABHAKARAN Advocate

For Respondent : P.KANNITHEVAN, M.B.A., B.L.,
Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A), 406 and 506(i) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.9 of 2016, seek anticipatory bail.

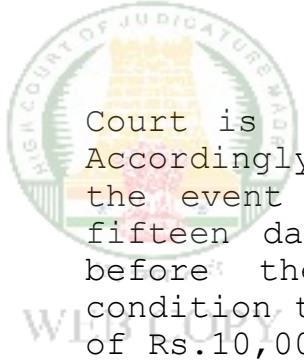
2. The case of the prosecution is that the petitioners demanded additional dowry from the defacto complainant and the first petitioner, who is the husband of the defacto complainant harassed her in drunken mood both mentally and cruelly. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that first petitioner is husband of defacto complainant and the other petitioners are in-laws of the defacto complainant.

4. The learned Government Advocate (Crl. Side) submits that the investigation of the case is pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the facts and circumstances of the case, this



Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners 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 No.III, Nagercoil on condition that each of 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the first petitioner shall report before the respondent police daily at 10.00 am until further orders and the other petitioners shall appear before the respondent Police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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].

sd/-
28/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1. CC to M/S P.PRABHAKARAN Advocate SR.No.33492

ORDER IN
CRL OP(MD) No.10497 of 2016
Date :28/06/2016

trp