



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

Thursday, the Twenty Eighth day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.10733 of 2016

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1 SAJITHA BEGAM @ SAJITHA BANU

2 AJMEER ALI

... PETITIONERS/ACCUSED No.6 & 7

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

ALANGUDI,

PUDUKKOTTAI DISTRICT.

[CR.NO. 6 OF 2016]

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.P.RAMACHANTHIRAN 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 petitioners, who are arrayed as Accused Nos.6 & 7, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 406, 498(A), 506(i) of IPC and Section 4 of the Dowry Prohibition Act, in Crime No.6 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 defacto complainant and first accused was solemnized on 17.01.2016. At the time of marriage, 150 sovereigns of gold jewels and Rs.5,00,000/-, Bike worth Rs.90,000/- and household articles worth Rs.5,00,000/- were given by the parents of the defacto complainant as dowry. The defacto complainant lived with A1 only for 45 days. A1 is having Malaysian citizenship in the name of Mohamed Puhahir, S/o.Mammet Kutty. He left Malaysia. Subsequently, A2 and A3 also left Malaysia. First petitioner is the sister of A2 and the second petitioner is the husband of the first petitioner. All the accused persons demanded additional dowry and threatened that they will arrange another marriage with A1. The first petitioner thrown her out the matrimonial home by demanding additional dowry. The defacto complainant came to know that already A1 got married another lady in Malaysia. She is the third wife. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that A1,A2 & A3 are went to Malaysia. All the keys of the locker and house were handed over to the defacto complainant and all the jewels were kept in the locker on 20.04.2016. The petitioners are innocent persons and they have not demanded any dowry from the defacto complainant and they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.



4.The learned counsel for the petitioners submitted that the petitioners are only relatives of A1. A2 & A3, who are mother-in-law and father-in-law were already arrested and enlarged on bail by the learned Judicial Magistrate, Alangudi in CrI.M.P.No.2140 of 2016, dated 01.06.2016.

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5.The learned Government Advocate (CrI.Side) submitted that serious allegations are made against the petitioners and the investigation is pending.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioners are only relatives of A1 and A2 & A3 were already arrested and enlarged on bail by the learned Judicial Magistrate, Alangudi in Cr.M.P.No.2140 of 2016, dated 01.06.2016, 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 District Munsif-cum-Judicial Magistrate, Alangudi, 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 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 petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (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]**.

7.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/-

28/07/2016

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



TO

1 THE DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE,
ALANGUDI.

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2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGUDI,
PUDUKKOTTAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.P.RAMACHANTHIRAN Advocate SR.No.40341

ORDER
IN
CRL OP(MD) No.10733 of 2016
Date :28/07/2016

PA/SK-SKN/SAR I/01.08.2016/3P/6C