



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

Thursday, the Fourth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11805 of 2016

SAKUNTHALA

... PETITIONER/ACCUSED No.3

AMARAVATHI

... PETITIONER / INTERVENOR

Vs

THE INSPECTOR OF POLICE,
ERVADI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.112 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.R.M.ANBUNIDHI Advocate

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

For Intervenor : Mr.K.KUMARAVEL, Advocate

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.3, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 174 Cr.P.C. altered into 498(A), 306 IPC, in Crime No.112 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant's daughter/deceased and A1 was solemnized on 12.02.2014. At the time of marriage, the parents of the deceased given 27 sovereigns of gold jewels. Immediately after the marriage, the accused persons demanded the jewels of the deceased to pledge and within 45 days, the husband of the deceased/A1 went to abroad. At that time, A2 and A3 were harassed the deceased by demanding the jewels from the defacto complainant and more dowry. One and a half month prior to the occurrence, A1 returned to India. At that time, there was a dispute between the deceased and the accused persons and on 24.06.2016, the defacto complainant received information through phone about his daughter's death. On receiving the information, he went to the house of the accused and found his daughter dead. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that she is an innocent person and she never demand any dowry from the deceased and A1 and A2 were



already arrested and they were in judicial custody. She has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that on complaint, a case has been registered and A1 & A2 were already arrested and they are in judicial custody, but this petitioner is absconded and he also produced the RDO report.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is not demanding any dowry from the deceased and also by considering the report of RDO, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Ramanathapuram, 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/-
04/08/2016

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE,
ERVADI POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S R.M.ANBUNIDHI Advocate SR.No.41932

ORDER

IN

CRL OP(MD) No.11805 of 2016

Date :04/08/2016

SH/ARK-PV/SAR-III:11.08.2016:3P/6C