



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

Tuesday, the Nineteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11991 of 2016

1 KALIAMMAL

2 NISHA @ SHAFRINNISHA

... PETITIONERS / ACCUSED No.2 & 3

Vs

The State rep.by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMANATHAPURAM,
RAMNAD DISTRICT.
CR NO. 18 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S K.ABIYA Advocate

For Respondent : Mr.P.Kannithevan Govt. Advocate (Crl. Side)

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

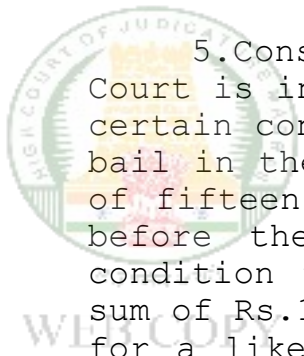
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 and 3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 294(b), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.18 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the de facto complainant married one Abdulhakkim and got a female child and by mutual understanding, both were separated. While so, A.1 namely Muniyasamy induced her to marry him and both were living as husband and wife. Thereafter, she went to Vellur to study Arabic. Then, A.1 did not contact her for 2 years. Therefore, she returned to Ramanathapuram. On 08.06.2016 at 02.00 p.m., when she was in her house, A.1 and other accused came there and pulled down her from the house and taken away the household articles with them. A.1 threatened her with dire consequences and the other accused abused her in filthy language. On complaint case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. They have no knowledge about the illegal contact and they have no way connected with the alleged occurrence.

4.The learned Government Advocate (Criminal side) submitted that already A.1 was arrested and he is in judicial custody. Investigation is pending.



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 No.I, Ramanathapuram, 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 as and when required for interrogation.
- (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]**.

sd/-

19/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM

2 -do-throTHE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMANATHAPURAM, RAMNAD DISTRICT.

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

+1. CC to M/S K.ABIYA Advocate SR.No.37653

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ORDER

IN

CRL OP(MD) No.11991 of 2016

Date :19/07/2016