



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

Tuesday, the Twenty Sixth day of July Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.12520 of 2016

1 RAMARAJ
2 VEERACHINNAMMAL ... PETITIONERS/ACCUSED NO. 2 & 3

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION, RAMANATHAPURAM DISTRICT.
CRIME NO.261 OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.MUNIYANDI Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

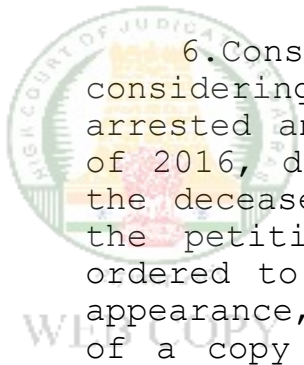
The petitioners, who are arrayed as Accused Nos.2 & 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 306 of IPC, in Crime No.261 of 2015, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and A1 demanded dowry from the de facto complainant/deceased for construction of their house and tortured her. On 06.11.2015, the deceased consumed poison and died on the same day. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and the petitioners have not demanded any dowry from the deceased. The occurrence took place on 06.11.2015.

4.The learned counsel for the petitioners submitted that the A1 the husband of the deceased was arrested and enlarged on bail by this Court in Crl.O.P(MD)No.11240 of 2016, dated 18.07.2016 and this petitioners are only in-laws of the deceased.

5.The learned Government Advocate (Crl. side) submitted that investigation has been completed and the respondent police are awaiting for Chemical Analysis Report.



6.Considering the facts and circumstances of the case and also considering the fact that A1, the husband of the deceased was arrested and enlarged on bail by this Court in CrI.O.P(MD)No.11240 of 2016, dated 18.07.2016 and this petitioners are only in-laws of the deceased, 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, Kamuthi onn 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/-

26/07/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S S.MUNIYANDI Advocate SR.No. 39462

AM

JA-SKS-RR/29.7.2016/2P:6C

ORDER IN

CRL OP(MD) No.12520 of 2016

Date :26/07/2016