



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

Tuesday, the Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13519 of 2016

1 KUPPAMMAL
2 MARIMUTHU

... PETITIONERS/ACCUSED No.A2&A3

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMNAD,
RAMANATHAPURAM DISTRICT.
CR.NO.19 OF 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S S.MUTHUKUMAR, ADVOCATE
FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

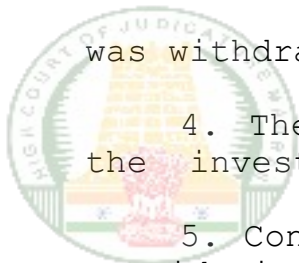
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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) and 506(i) of IPC in Crime No.19 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the marriage between A1 and defacto complainant was solemnized in the year 2000 and at the time of marriage, the parents of the defacto complainant gave 30 sovereigns of gold jewels and household articles worth Rs.1,00,000/- as dowry. A1 was doing Real Estate business and he took all the jewels of the defacto complainant and pledged the same for his business purpose and did not return the amount and treated the defacto complainant cruelly both mentally and physically. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the first petitioner is the mother in law and second petitioner is brother in law respectively and they 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 the petitioners earlier filed CrI.O.P(MD).No.12051 of 2016 and the same



was withdrawn by the petitioners.

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

5. Considering the facts and circumstances of the case and also considering the fact that the marriage took place in the year 2000, I am 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.I, Ramnad 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report 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].

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 petitioners are complying with the condition or not.

sd/-
02/08/2016

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.1, RAMNAD.

2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

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

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

+1. CC to M/S S.MUTHUKUMAR Advocate SR.No. 41279

ORDER

IN

CRL OP(MD) No.13519 of 2016

Date :02/08/2016

TRP

TE/NGM-MP/SAR-III : 05/08/2016 : 3P/6C