



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

Thursday, the Eighteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14829 of 2016

A. MAHALAKSHMI

... PETITIONER / ACCUSED NO.6

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM,
THOOTHUKUDI DISTRICT.
(CRIME NO. 7 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.R.ANBARASU 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 :-

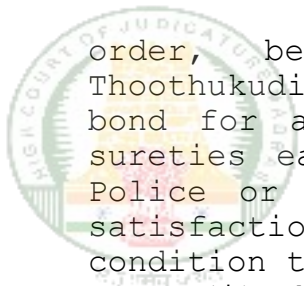
The petitioner, who is arrayed as Accused No.6, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A), 406 and 506(ii) IPC and Section 4 of Dowry Prohibition Act, in Crime No.7 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the first accused tortured the defacto complainant by demanding dowry and the petitioner is a third party and she is not having any relationship with the defacto complainant and her family members. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is having two children and she is a third party to the defacto complainant and her family members, this Court is inclined to grant anticipatory bail to the petitioner on the following conditions. Accordingly, the petitioner ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this



order, before the learned Judicial Magistrate, Srivaikundam, Thoothukudi District, 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 once in a week ie., on every Sunday 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/-

18/08/2016

/ TRUE COPY /

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

PS
TO

1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

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

+1. CC to M/S S.R.ANBARASU Advocate SR.No.45501

GJM/CK/SAR-III-22.8.16-2P-6C

ORDER

IN

CRL OP(MD) No.14829 of 2016

Date :18/08/2016