



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

Friday, the Nineteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15271 of 2016

1 VADIVEL
2 SARADHA
3 PRIYA

...PETITIONERS/ACCUSED Nos.1 to 3/
ACCUSED Nos.1 to 3

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPPARANKUNDRAM, MADURAI DISTRICT.
CR. NO. 93 OF 2014

...RESPONDENT/RESPONDENT/
COMPLAINANT

For Petitioner : M/S.J.LAWRANCE Advocate

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

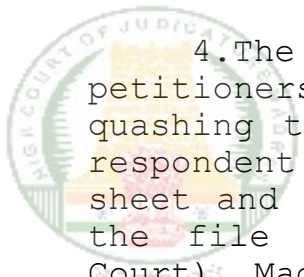
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 506(i) IPC, in Crime No.93 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant and A.1 was solemnized on 10.04.2011 and out of the wedlock, a male child was born and the first petitioner does not have any job and he used to come home in a drunken stage and quarrel with the defacto complainant at the instance of the petitioners 2 and 3 and demanded more dowry. 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.



4.The learned counsel for the petitioners submitted that the petitioners have filed a petition in CrI.O.P(MD)No.17399 of 2014 for quashing the F.I.R and the same is pending. In the meantime, the respondent Police completed the investigation and filed the charge sheet and the same has been taken on file in C.C.No.170 of 2016 on the file of the learned Judicial Magistrate (Additional Mahila Court), Madurai.

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5.The learned Government Advocate (Criminal side) submitted that investigation has been completed and charge sheet has been filed and taken on file in C.C.No.170 of 2016.

6.Considering the facts and circumstances of the case and also considering the fact that investigation has been completed and charge sheet has been filed and taken on file in C.C.No.170 of 2016, 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, (Additional Mahila Court), Madurai, 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:

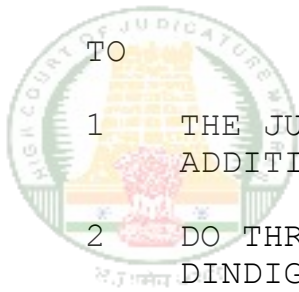
- (i) the petitioners shall report before the said Court in all future hearings regularly.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) On breach of any of 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].

7.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 conditions or not.

sd/-
19/08/2016

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



TO

- 1 THE JUDICIAL MAGISTRATE
ADDITIONAL MAHILA COURT, MADURAI
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPPARANKUNDRAM,
MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP (MD) No.15271 of 2016
Date :19/08/2016

ps
SD/CK/SAR1/26.08.2016/3P/5C