



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

Monday, the Twenty Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15295 of 2016

MAHARASI

... PETITIONER/ACCUSED NO.4

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE
KADAMBUR ALL WOMEN POLICE STATION,
KADAMBUR,
TUTICOIRN DISTRICT.
CRIME NO.5/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.SADAGOBAN RENGASAMY 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 :-

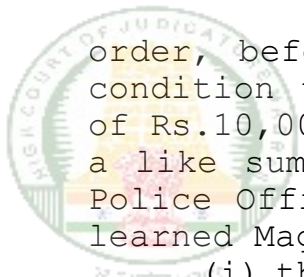
The petitioner, who is arrayed as Accused Nos.4, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 109 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.5 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant and one Murugan/A1 was arranged by the elders of both family members and betrothal function was also conducted on 02.06.2016. After that, the defacto complainant came to know that A1 already married one Esakirani and the said marriage was also registered. On complaint, case has been registered for the above said offences.

3. It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner did not participate in the betrothal function as well as the marriage of A1.

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

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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, Kovilpatti, 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 as and when required for interrogation.
- (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/-
22/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KADAMBUR ALL WOMEN POLICE STATION, KADAMBUR,TUTICOIRN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.SADAGOBAN RENGASAMY Advocate SR.No.46366
PS
CSL/SKS-RR/SAR-III/29.08.2016: 2P/6C

ORDER
IN
CRL OP(MD) No.15295 of 2016
Date :22/08/2016