



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

Monday, the Twenty Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15948 of 2016

1 M.S.P.SIVARAMAKRISHNAN
2 E.SAVITHRI
3 S.SABARINATHASIVA

... PETITIONERS/ACCUSED NO.2 TO 4

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
SIVAGANGAI, SIVAGANGAI DISTRICT
CR.NO.10 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.H.MOHAMEED IMRAN for AJMAL ASSOCIATES 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 :-

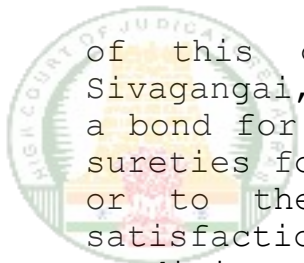
The petitioners, who are arrayed as accused Nos.2 to 4, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 385, 406, 494, 498(A) & 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.10 of 2016 on the file of the respondent Police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the de facto complainant and A1 / 1st petitioner was solemnized in the year 2001. After marriage, A1 along with other accused persons demanded dowry and harassed the de facto complainant and driven her out from the matrimonial home. The petitioners arranged marriage to the 1st accused with another lady namely, Jayalakshmi, while the first marriage is in existence. On complaint, a case has been registered against the petitioners.

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 a false complaint has been given against the petitioners.

4.Heard the learned Government Advocate (Crl.Side).

5.Considering the facts and circumstances of the case, 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 No.I, Sivagangai, 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 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 1st petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders and the petitioners 2 and 3 shall appear before the respondent Police as and when required.

(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]**.

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 conditions or not.

sd/-

29/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S AJMAL ASSOCIATES Advocate SR.No. 47771

+1cc to M/S.P.MANI ANANDH,ADVOCATE SR NO: 47891

nbj

JA-SKS-RR-SAR.I/06.09.2016/2P:7C

ORDER IN

CRL OP(MD) No.15948 of 2016

Date :29/08/2016