



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

Tuesday, the Thirtieth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15994 of 2016

1 RAMU
2 PAPPA
3 GANESHWARAI
4 LASHMI
5 BOTHI

... PETITIONERS/ACCUSED 2 to 5

Vs

STATE REP.BY INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, RAMANATHAPURAM DISTRICT.
(CRIME NO. 21 OF 2016) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI Advocate

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

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

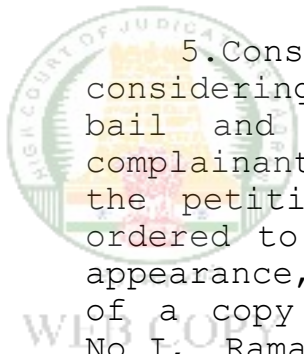
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 to 5, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 494 and 506(ii) IPC, in Crime No.21 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 A.1 was solemnized on 11.09.2008. At the time of marriage, the parents of the de facto complainant gave 22 sovereigns of gold jewels to the de facto complainant, 8 sovereigns of gold jewels to A.1, cash of Rs.50,000/-, a sum of Rs.47,000/- for purchasing a two wheeler and also sridhana articles worth Rs.1,00,000/-. After the marriage, as they have no issue, the accused persons harassed the de facto complainant. On 26.06.2016, A.1 married another lady and when the same was questioned by the de facto complainant, the accused persons threatened her with dire consequences. On complaint, a 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. A.1 was already arrested and released on bail. The petitioners are only in-laws of the de facto complainant.

4.The learned Government Advocate (Criminal side) submitted that on the complaint given by the de facto complainant, a case has been registered and investigation is pending.



5.Considering the facts and circumstances of the case and also considering the fact that A.1 was already arrested and released on bail and the petitioners are only in-laws of the de facto complainant, 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, Ramanathapuram, Ramanathapuram District, 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 respondent Police as and when required for interrogation.

(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/-

30/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

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

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

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No. 48748
smn

JA-SKS-RR.SAR.III/2.09.2016/2P:6C