



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

Monday, the Third day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.19037 of 2016

1 SAHAYARAJ

2 SENI

3 SAALIMA @ SHALINI RAJ

... PETITIONER/ACCUSED NO.1,2&6

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

KANYAKUMARI DISTRICT.

CR NO. 08/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MANIMARAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

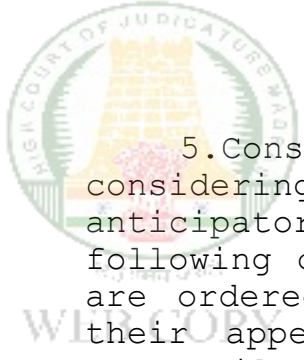
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 109, 497, 498(A), 406 of IPC and Section 4 of Dowry Prohibition Act, 1961, in Crime No.8 of 2016, on the file of the respondent police, seek anticipatory bail.

2. The Case of the prosecution is that the defacto complainant is the wife of A1 and the other accused are relatives of A1 and they are demanding dowry and also harassing the defacto complainant.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) submitted that IDOP is pending between the defacto complainant and the first petitioner, who is none other than the husband of the defacto complainant. He further submitted that this is the 3rd petition filed by the petitioners for anticipatory bail and the investigation is almost over.



5. Considering the facts and circumstances of the case and also considering the change of circumstances, I am inclined to grant anticipatory bail to the petitioners 2 and 3/A2 & A6 with the following condition. Accordingly, the petitioners 2 and 3/A2 and A6 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.III, Nagercoil, within a period of 10 days from the date on which the order copy made ready, and on their executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 2 and 3/A2 and A6 shall appear before the Trial Court daily at 10 a.m. until further orders. The petitioners 2 and 3/A2 and A6 shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. Considering the veracity of the offence and also considering the fact that the investigation is pending, this petition is dismissed in respect of A1/first petitioner.

sd/-

03/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III
NAGERCOIL.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KANYAKUMARI DISTRICT,

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

+1. CC to M/S.R.MANIMARAN Advocate SR.No.57987

ORDER

IN

CRL OP(MD) No.19037 of 2016

Date : 03/10/2016

jikr