



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

Thursday, the Twentieth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20071 of 2016

1 S.JOTHIMANI

2 SMT.VARALAKSHMI

... PETITIONERS/ACCUSED

Vs

STATE THROUGH

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

RAMANATHAPURAM DISTRICT,

CRIME NO.30 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.THIRUPATHI 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 :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 294(b) and 506(ii) IPC in Crime No.30 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

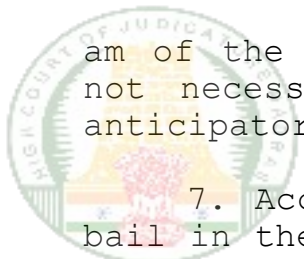
2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3.The case of the prosecution is that the petitioners demanded additional dowry and abused the defacto complainant in filthy language. Hence, a case had been registered.

4.Learned counsel for the petitioners submitted that the petitioners are only the in-laws of defacto complainant and there is absolutely no dowry demand and harassment.

5.Learned Government Advocate (Crl. Side) would submit that the investigation is pending.

6.Considering the facts and circumstances of the case and taking note of the fact that it is a matrimonial dispute and that the petitioners are only the in-laws of the defacto complainant, I



am of the view that custodial interrogation of the petitioners is not necessary for the present. Hence, I am inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.2, Ramanathapuram on each of them executing 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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]**.

sd/-

20/10/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S.D.THIRUPATHI Advocate SR.No.62552

CSL/SS-2/SAR-III/26.10.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.20071 of 2016

Date :20/10/2016