



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

Tuesday, the Eighth day of November Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21171 of 2016

1 RAJANGAM
2 LAKSHMI

... PETITIONERS / ACCUSED NOS.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DEVAKOTTAI, SIVAGANGAI DISTRICT,
CRIME NO.5 OF 2016. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.Boomirajan, Advocate

For Respondent : M/S.S.Prabha, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

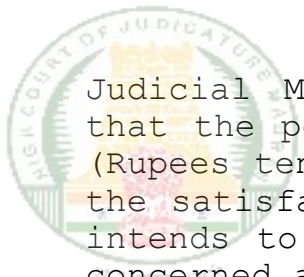
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 406 of I.P.C., and Section 4 of Tamil Nadu Women Harassment Act in Crime No.5 of 2016 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners said to have demanded more dowry from the de-facto complainant.

3. It is submitted by the learned counsel for the petitioners that the de-facto complainant often picked up quarrel with the first petitioner and the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) submitted that the first petitioner is the husband of the de-facto complainant and the second petitioner is the mother-in-law of the de-facto complainant and they demanded dowry from the de-facto complainant.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners 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, Devakottai, Sivagangai District on condition that 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 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 daily at 10:30 a.m. until further orders.

[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/-

08/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, DEVAKOTTAI, SIVAGANGAI DISTRICT.

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

+1. CC to M/S R.Boomirajan, Advocate SR.No.67133.

ORDER IN

CRL OP(MD) No.21171 of 2016

Date :08/11/2016

msm/ss3/sar1/14.11.16/p2/6c