



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

Monday, the Fourteenth day of November Two Thousand Sixteen  
PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21553 of 2016

1 KADAR OLI  
2 S.ABDUL RAHIM  
3 A.KAMARUNISHA  
4 A.SAYEED JALWA  
5 M.NASIRUNISHA  
6 S.MOHAMED RAFI

... PETITIONERS/ACCUSED

Vs

STATE REPRESENTED BY ,  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
CANTONMENT,  
TRICHY CITY,  
CRIME NO. 28 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.SENTHIL KUMAR Advocate

For Respondent : MRS.S.PRABHA, 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), 406, 294(b) and 506(i) IPC in Crime No.28 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

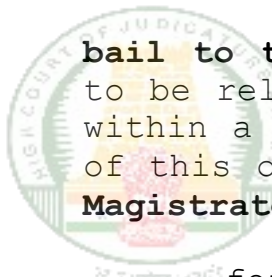
2.Heard the learned counsel on either side.

3.The case of the prosecution is that the first petitioner, who is the husband of the defacto complainant and the other petitioners, who are her in-laws are harassing the defacto complainant by demanding dowry.

4.It is the case of the petitioners that they are innocent and they have been falsely implicated in this case. It is his further submission that it is a case in counter.

5.Learned Government Advocate (Crl. Side) submitted that the complaint has been lodged on the allegation of cruelty and harassment.

6.Taking note of the facts and circumstances of the case, **as matrimonial dispute is involved in this matter, this Court is of the view that custodial interrogation of the petitioners is not necessary at this stage. Hence, I am inclined to grant**



**bail to the petitioners.** 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 **Additional Mahila Court (Judicial Magistrate Level), Trichy**, subject to the following conditions:

(i) 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 the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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/-

14/11/2016

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

TO

1 THE ADDITIONAL MAHILA COURT(JUDICIAL MAGISTRATE LEVEL), TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION, CANTONMENT, TRICHY CITY.

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

+1 CC TO M/S.R.SENTHIL KUMAR, ADVOCATE IN SR.NO.68514

ORDER

IN

CRL OP(MD) No.21553 of 2016

Date :14/11/2016