



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

Wednesday, the Fourteenth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23268 of 2016

- 1 MAHESHKUMAR
- 2 MUTHAMMAL
- 3 MALA
- 4 PETCHIAMMAL

... PETITIONERS / ACCUSED

Vs

- 1 THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DISTRICT.
IN CRIME NO.28/2015 ... RESPONDENT / COMPLAINANT
- 2 SARASWATHY ... RESPONDENT / DEFACTO COMPLAINANT

For Petitioner : M/S.M.KAMATCHI, Advocate

For Respondent : MR.P.KANDASAMY, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

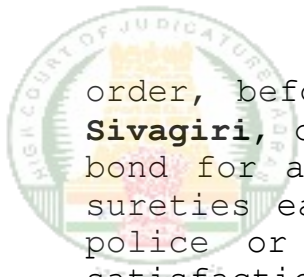
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 294(b) of I.P.C and Section 4 of Dowry Prohibition Act in Crime No.28 of 2015 on the file of the respondent police, seek anticipatory bail.

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

3. The learned Government Advocate(Crl. Side) on instructions would submit that this is the second anticipatory bail petition filed by the petitioners seeking anticipatory bail. Earlier, anticipatory bail was granted to the petitioners as per order of this Court in Crl.O.P(MD)No.420 of 2016, dated 11.01.2016.

4. The learned counsel appearing for the petitioners states that the petitioners herein were not able to arrange the sureties in compliance of the above said order.

5. Considering the facts and the circumstances of the case, this Court is 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 **District Munsif cum Judicial Magistrate, Sivagiri**, on condition that the petitioners shall execute a separate 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 first petitioner shall pay a sum of Rs.1,000/- (Rupees One Thousand Only) to the District Legal Aid Services Authority, Tirunelveli District, within a period of fifteen days from the date of receipt of a copy of this order.

[b] the first petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation and the petitioners 2 to 4 shall appear before the respondent police as and when required for interrogation.

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

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

[e] 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/-

14/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE, SIVAGIRI.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, SANKARANKOVIL, TIRUNELVELI DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE, DISTRICT LEGAL AID SERVICES AUTHORITY, TIRUNELVELI DISTRICT.

ORDER IN

CRL OP(MD) No.23268 of 2016

Date :14/12/2016

msm/gsv-pm/sar1/20.12.16/p2/6c