



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

Monday, the Seventh day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4014 of 2016

WEB COPY

1 GOWTHAMAN
2 SUBRAMANI
3 USHARANI
4 SIVARAJ
5 RAJESWARI
6 POORNIMA

..PETITIONERS/ACCUSED 1 TO 6

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPPARANKUNDRAM, MADURAI CITY,
CR NO.2 OF 2016.

..RESPONDENT/COMPLAINANT

For Petitioners : M/S P.T.RAMESH RAJA Advocate
For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)
For Intervenor : MR.BABU RAJENDRAN, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offence punishable under Section 498(A) of IPC, in Crime No.2 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.P.T.Ramesh Raja, learned counsel appearing for the petitioners / accused 1 to 6, Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State and Mr.Babu Rajendran, learned counsel appearing for the intervenor, who strongly objected to grant anticipatory bail to the petitioners / accused 1 to 6.

3. It is seen that the *de facto* complainant and the first petitioner were in love and got married on 21.08.2015 against the wishes of their parents. Their marriage was an inter-caste marriage and it was registered in the Office of the Registrar of Marriages, on 24.08.2015. The first petitioner / first accused and the *de facto* complainant are Software Engineers and working in I.T.Field. Subsequently, their matrimonial life ran into rough weather, resulting in the *de facto* complainant lodging the present complaint against her husband / first petitioner and his family members.

4. Taking into consideration the nature of allegations made against the petitioners / accused 1 to 6, this Court is of the view that this is a fit case to grant anticipatory bail to them. Accordingly, they 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 No.VI, Madurai, on condition that each of the petitioners / accused 1 to 6 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the first petitioner / first accused shall report before the respondent Police daily at 06.30 p.m., until further orders and the petitioners 2 to 6 / accused 2 to 6 shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioners / accused 1 to 6 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / accused 1 to 6 shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners / accused 1 to 6 in accordance with law as if the conditions have been imposed and the petitioners / accused 1 to 6 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
07/03/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADRAS BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THIRUPPARANKUNDRAM, MADURAI CITY.

+1CC to M/S P.T.RAMESH RAJA Advocate SR.No.12657
+1CC to MR.BABU RAJENDRAN, Advocate Sr.No.12732

akm/09.03.2016/2p-7c/AAL/MPA/AR-I