



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

Friday, the Fifteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17324 of 2017

1 BOSE

2 SHANTHI

3 SANGEETHA PRIYA

4 SIVA

5 MAHESWARI

... PETITIONERS/ACCUSED No.2 to 6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PARAMAKUDI,
RAMNAD DISTRICT.
CRIME NO. 06/2017

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.A.UTHAYAKUMAR Advocate

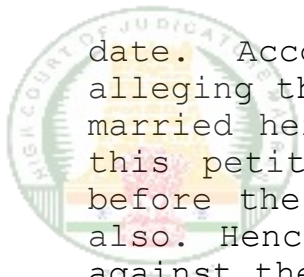
For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 and 6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498-A, 406, 494 and 506(ii) of IPC, and Section 4 of Dowry Prohibition Act, read with 109 of IPC., in Crime No.6 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the defacto complainant and A1 was solemnized on 06.09.2009. Out of the wedlock, they are blessed with one female child. From the date of marriage, there was a domestic dispute in between the defacto complainant and the petitioner's family. There was series of allegations against the petitinoenr right from the year 2009 to till



date. Accordingly, the defacto complainant filed a complaint alleging that suppressing the first marriage with A6, the petitioner married her. Now A1 jointly living with A6/the fifth petitioner in this petition. Thereby the defacto complainant filed a complaint before the respondent police on the allegation of dowry harassment also. Hence, case has been registered for the above said offences against the accused persons.

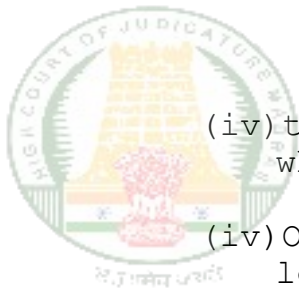
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3. The case of the petitioners is that the first petitioner is the father-in-law; the second petitioner is the mother-in-law; the third petitioner is sister-in-law; the fourth petitioner is the brother-in-law of the defacto complainant and the fifth petitioner is said to have married with A1. He further submitted that the petitioners are not committed any offence as alleged by the prosecution and the petitioners 1 to 4 did not perform marriage to A1 and A6. Moreover, A1 was arrested and released on bail by the Trial Court itself.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that due to dowry harassment, the defacto complainant lodged a complaint against the petitioners and investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the fact that the fact that A1 was arrested and released on bail, I am inclined to grant anticipatory bail to the petitioners with certain conditions. 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 on which the order copy is made ready, before the learned Judicial Magistrate, Paramakudi, Ramnad District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, 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 petitioners 4 and 5/A5 & A6 shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., until further orders;
- (ii) the petitioners 1 to 3/A2 to A4 shall appear before the respondent police as and when required for interrogation;
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;



(iv) the petitioners shall not commit any offence while on bail;

(iv) 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 and the anticipatory bail granted stands cancelled automatically.

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sd/-
15/12/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMNAD DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMNAD DISTRICT
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION
PARAMAKUDI, RAMNAD DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.36358

ORDER
IN
CRL OP(MD) No.17324 of 2017
Date :15/12/2017

PK/PM-PN/SAR-3/20.12.2017 : 3P/6C