



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

Thursday, the Thirteenth day of April Two Thousand Seventeen

PRESENT

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

WEB COPY

CRL OP(MD) No.4415 of 2017

1 REENA

2 DEVI

... PETITIONERS/ACCUSED NO.3 & 4

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
CRIME NO.9 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SANKAR 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 :-

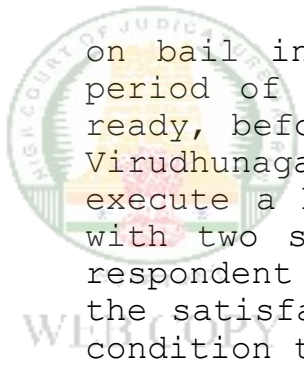
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 498(A), 294(b) and 506(i) IPC and Section 4 of TNPHW Act, 2002 in Crime No.9 of 2016 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the marriage between A1 and the de facto complainant as solemnized on 13.03.2013 and by demanding additional dowry, the petitioners along with other accused harassed the de facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He also submitted that the 1st petitioner is residing at Bangalore and the 2nd petitioner is residing at Chennai.

4.The learned Government Advocate (Crl.side) submitted that totally there are 4 accused and the petitioners are A3 and A4 and co accused namely, A1 to A3 were granted anticipatory bail by the concerned Sessions Court. He also submitted that investigation is still pending.

5.Considering the facts and circumstances of the case and considering the nature of allegations levelled against the petitioners, the co accused were granted anticipatory bail by the Sessions Court, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar 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 as when required.

[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/-
13/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SANKAR Advocate SR.No.20156

ORDER
IN
CRL OP (MD) No.4415 of 2017
Date :13/04/2017