

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixteenth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.24644 of 2018

1 SUNITHA
2 SUMATHI
3 ROSAMMA

[PETITIONERS / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR.

CR. NO. 12 OF 2018.

For Petitioner : M/S.R.ELANGO Advocate

For Respondent : M/S.KRITIKA KAMAL.P, 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 for the alleged offence under Sections 498-A, 294(b), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.12 of 2018 on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that the petitioners are alleged to have harassed the *de facto* complainant by demanding more dowry.

4. The learned counsel appearing for the petitioners would submit that the petitioners herein are the sisters-in-law and mother-in-law of the *defacto* complainant. He would submit that the husband, who is arrayed as A1 in this case has already been arrested and he is still in custody.

5. The learned Government Advocate (Crl.side) would submit that the first accused in this case has already been arrested on 11.10.2018 and remanded to judicial custody.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-I, Thiruvallur, within a period of 15 days from the date of receipt of a copy of this order, on executing 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 conditions that:

[a] if the petitioners fail to surrender before the concerned Magistrate/Court within a period of 15 days, this order shall stand automatically cancelled.

[b] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass book to ensure their identity.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

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

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

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
16/10/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR.

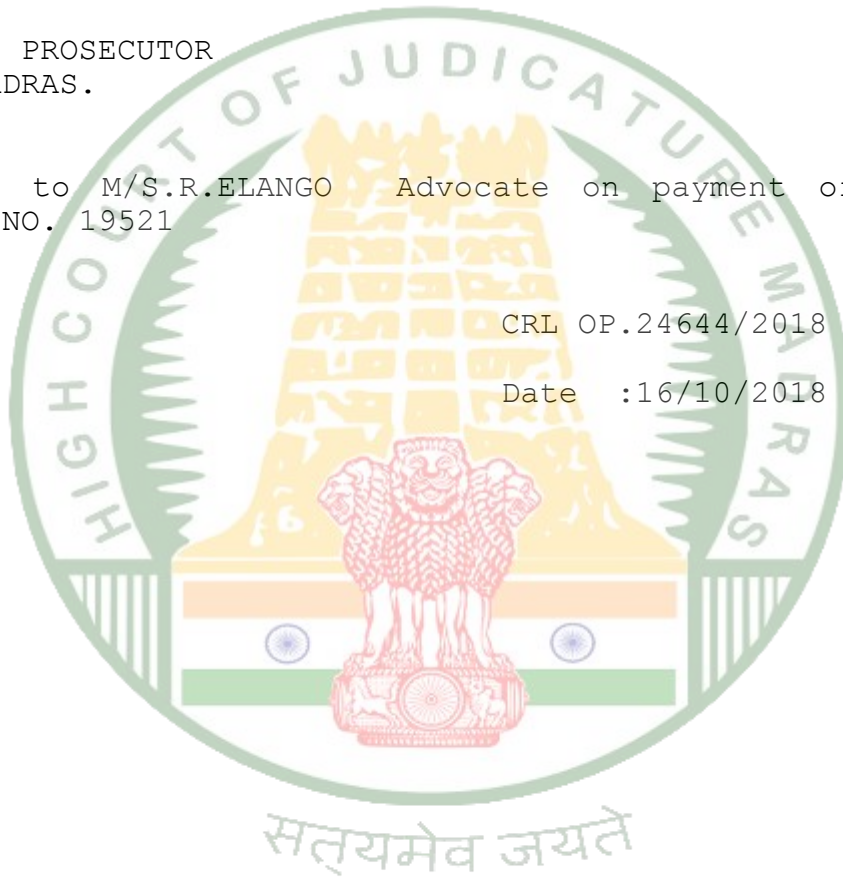
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+5CC to M/S.R.ELANGO Advocate on payment of necessary
charges in SR.NO. 19521

CRL OP.24644/2018

Date :16/10/2018

MLT-17/10/2018



WEB COPY