



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

Monday, the Fifth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1551 of 2018

KANAGASUNDARI

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ALANGUDI, PUDUKKOTTAI DISTRICT.
(CRIME NO.6/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.SANKARANARAYANAN, Advocate
For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

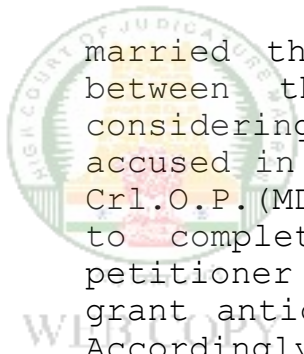
The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494, 294(b), 323 and 506(i) of IPC., and Section 4 of Dowry Prohibition Act, in Crime No.6 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A2 is the relative of the defacto complainant's husband, who is arrayed as A1 in this case. Further, A1 is said to have demanded more dowry from the defacto complainant and tortured her, thereby A1 married the petitioner. Hence, the case has been registered against the petitioner and A1.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and she is no way connected with the alleged offence and pleads for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the investigation is in progress. He further submitted that A1 in this case has already been granted anticipatory bail by this Court.

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged that the defacto complainant and A1 are husband and wife. It is said to have that the petitioner is the second wife of the first accused in this case. It is alleged that during the time of occurrence, the petitioner



married the first accused, when the first marriage is existing between the first accused and the defacto complainant. So, considering the facts and circumstances, as of now, the other accused in this case was granted anticipatory bail by this Court in CrI.O.P.(MD).No.9873 of 2017, on 01.08.2017. Accordingly, in order to complete the investigation, custodial interrogation of the petitioner may not be necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Alangudi, Pudukkottai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall not abscond either during investigation or trial;

(iv) on breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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/-

05/02/2018

/ TRUE COPY /

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

TO

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

ORDER IN

CRL OP(MD) No.1551 of 2018

Date :05/02/2018