



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

Wednesday, the Seventeenth day of January Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.736 of 2018

MRS.ANUSHA RANI

... PETITIONER/ACCUSED No.4

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
ANJUGRAMAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.342 OF 2017)

... RESPONDENT

For Petitioner : M/S.G.V.VAIRAM SANTHOSH Advocate

For Respondent : M/S.A.ROBINSON, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

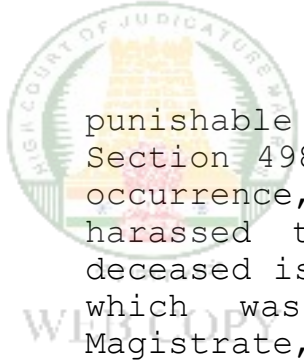
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 174 of Code of Criminal Procedure, 1973 @ Section 498(A), 304(B) IPC in Crime No.342 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused have harassed the deceased by demanding additional dowry.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. She further submitted that the petitioner has not committed any offence as alleged by the prosecution and she is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the investigation is still pending.

5.The submissions made by the learned counsel on either side are considered. This case has been registered for the offences



punishable under Section 174 of Code of Criminal Procedure, 1973 @ Section 498(A), 304(B) IPC. It is alleged that during the time of occurrence, the petitioner along with her brother and mother have harassed the deceased and during the time of occurrence, the deceased is having 5 months old child. Based on the inquest report, which was prepared by the learned Sub Divisional Judicial Magistrate, it was held that the alleged offences was happened only for the purpose of demanding additional dowry. As of now, the main accused in this case, who is the husband of the deceased, is in abroad and so far she is not arrested. Therefore, for concluding the investigation, custodial interrogation of this petitioner is necessary. Further considering the relationship between the first accused and this petitioner, this Court came to the conclusion that if these type of accused are released on bail, there will be chances to tamper the evidences and hamper the investigation.

6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner at this stage. Accordingly, this Criminal Original petition stands dismissed.

sd/-
17/01/2018

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
ANJUGRAMAM POLICE STATION,
KANYAKUMARI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.V.VAIRAM SANTHOSH Advocate SR.No.923

ORDER
IN
CRL OP(MD) No.736 of 2018
Date :17/01/2018

PK/RR/SAR-2/24.04.2018 : 2P/4C