



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

Thursday, the Eighth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.19915 of 2018

1 SENTHILRAJ
2 SALAIVALLI
3 SUBBULAKSMI
4 MURALIDARAN
5 SUDESHKUMAR

... PETITIONERS / ACCUSED NO.1 T O5

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI TOWN.
(IN CRIME NO. 6/2018.)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.NIRANJAN S.KUMAR FOR J.WILLIAM CHRISTOPHER
Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. Advocate
(Crl. Side)

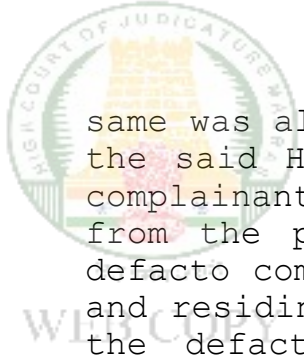
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are A1 to A5, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 506(i) IPC in Crime No.6 of 2018, seek anticipatory bail.

2. The first petitioner is the estranged husband of the defacto complainant; second petitioner is the mother-in-law; third petitioner is the sister-in-law; fourth petitioner is the husband of the third petitioner and the fifth petitioner is the son of the petitioners 3 and 4.

3. The learned counsel appearing for the petitioners submitted that it is an admitted fact that both the first petitioner and the de facto are residing separately from the year 2013. The de facto complainant had also filed HMOP.No.98 of 2013, before the Family Court, Madurai, for Restitution of Conjugal Rights and the



same was allowed and the first petitioner herein was set ex parte in the said HMOP. Hence, admittedly from the year 2013, the defacto complainant was not residing with the petitioners, she was separated from the petitioners family. It is further contended that the defacto complainant is working in Ultra Engineering College, Madurai and residing in the house belonging to the first petitioner. Due to the defacto complainant's harassment, the first petitioner is living with his parents at Coimbatore. He has also contended that the petitioners 3 to 5 are residing at Bangalore.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the defacto complainant had preferred a complaint to the Chief Minister's Cell in the month of August 2018 and thereafter, a case in Crime No. 6 of 2018 came to be registered. The main contention is that the defacto complainant's 31 Sovereign gold jewels and Srithana Articles worth about Rs.2,00,000/- were retained by the first petitioner. He further submitted that first petitioner had married and living with another woman as husband and wife, which would amount to cruelty.

5. Considering the fact that both the defacto complainant and first petitioner are living separately from the year 2013 and that it is purely matrimonial dispute, I am inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Mahila Court (Judicial Magistrate Level), Madurai, on condition that each of 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 learned Magistrate concerned and on further condition that the first petitioner shall report before respondent Police daily between 4.00 p.m., and 5.00 p.m., for a period of two weeks and thereafter, as and when required, for interrogation and the petitioners 2 to 5 shall appear before the respondent Police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

08/11/2018

/ TRUE COPY /



TO

1 THE MAHILA COURT,
(JUDICIAL MAGISTRATE LEVEL), MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

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

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

+1. CC to M/S.J.WILLIAM CHRISTOPHER Advocate SR.No.21337

PS/JC/SAR-2/12/11/2018/3P/6C

ORDER

IN

CRL OP(MD) No.19915 of 2018

Date :08/11/2018