



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

Tuesday, the Eleventh day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.16228 of 2018

1 JAHUBAR NISHA

2 MOHAMMED SHERIF

... PETITIONERS / ACCUSED 2 & 4

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, TUTICORIN,

TUTICORIN DISTRICT.

(CRIME NO. 12 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.G.RADHAKRISHNAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners arrayed as the accused Nos.2 and 4 respectively, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 494 and 506(i) I.P.C and Section 4 of Tamil Nadu Prohibition Harassment of Women Act and Section 4 of Dowry Prohibition Act in Crime No.12 of 2018, seek anticipatory bail.

2.The case of the prosecution is that with an knowledge of first marriage of the first accused with the defacto complainant, the first petitioner / second accused got married to the first accused. The second petitioner / fourth accused, knowing fully about the first marriage of the first accused with the defacto complainant, arranged for marriage with the first accused to the second accused herein. Hence, the complaint.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondents.

4.The learned counsel appearing for the petitioners submitted that the petitioners are absolutely having no knowledge about the first marriage of the first accused with the defacto complainant.



After came to the knowledge of the same, now the first petitioner / second accused separated from the first accused and is living separately in Madurai.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.III, Tuticorin, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-

11/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III,
TUTICORIN.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, TUTICORIN,
TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.RADHAKRISHNAN Advocate SR.No.17412
PS/JC/SAR-2:18/09/2018:2P/6C

ORDER

IN

CRL OP(MD) No.16228 of 2018

Date :11/09/2018