



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

Thursday, the Fourth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.17705 of 2018

1 A.MATHAN
2 C.ALEXANDER
3 PACKIYARANI
4 SURYAN SUBASH
5 SAHAYA AROCKIAM
6 PITCHAIAMMAL

... PETITIONERS/
ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
UTHAMAPALAYAM, THENI DISTRICT.
CRIME NO.NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.D.SARAVANAN, Advocate
For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

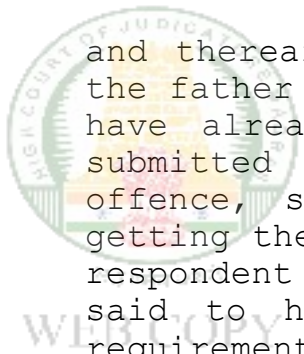
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 306 I.P.C, in Crime No.408 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the third petitioner is the mother of the first petitioner, the fourth petitioner is the brother of the first petitioner, fifth and sixth petitioners are uncle and aunt of the first petitioner. It is the case of the prosecution that the first petitioner fell in love with the victim girl, thereafter he refused to marry her. The learned counsel for the petitioner would further submit that these petitioners have been unnecessarily roped in this case. He would further submit that the respondent police registered an F.I.R., for the offences punishable under Section 306 I.P.C against these petitioners. Already the first and second petitioners have been arrested by the respondent police and therefore, insofar as they are concerned, this petition has become infructuous.

3.The learned Additional Public Prosecutor for the respondent would submit that the first petitioner fell in love with victim girl



and thereafter, he refused to marry her. The second petitioner is the father of the first petitioner. The first and second petitioners have already been arrested by the respondent police. He further submitted that the other petitioners are also involved in the offence, since they demanded dowry as a condition precedent for getting the first petitioner married with the victim girl. Since the respondent police have already arrested the first petitioner, who is said to have been in love with the victim girl, there is no requirement for custodial interrogation of the petitioners 3 to 6.

4. Considering the facts and circumstances of the case, in view of the first and second petitioners having been already arrested by the respondent police, insofar as they are concerned, this petition has become infructuous. This Court is inclined to grant anticipatory bail to the petitioners 3 to 6 with certain conditions. Accordingly, the petitioners 3 to 6 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Uthamapalayam 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 3 to 6 shall appear before the respondent police as and when required for interrogation. The petitioners 3 to 6 shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

5. The petitioners 3 to 6 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/-

04/10/2018

/ TRUE COPY /

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

TO

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

+1. CC to Mr.D.SARAVANAN Advocate SR.No.18963

ORDER IN

CRL OP(MD) No.17705 of 2018

Date : 04/10/2018

MS/PN/SAR-2/10.10.2018/2P.6C