



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

Monday, the Fourth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.3314 of 2019

RATHINA,

... PETITIONER / ACCUSED-7

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TALLAKULAM, MADURAI DISTRICT.
(IN CRIME NO.4/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.SURESH Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

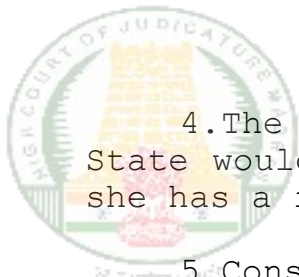
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 498(A), 406, 494, 506(i) of IPC, in Cr.No.4 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage of the defacto complainant and the first accused was solemnised on 20.01.2008. After their marriage, in the year 2017, there was a dispute arose between the petitioner's family and the defacto complainant's family. Due to which the defacto complainant left with matrimonial home and residing at her parental home. At that time the A1 had developed relationship with the present petitioner/A7. Thereafter, she made a complaint on 13.02.2019.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she did not commit any offence as alleged by the prosecution. He would further submits that the petitioner is a unmarried lady and she is no way connected with this case. He would further submits that except A1 all other accused persons in this case were granted anticipatory bail by order dated 25.02.2019 in Crl.O.P.(MD).No.2883 of 2019. Accordingly, he prayed for anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioner is A7 and it is said to have she has a relationship with A1.

5.Considering the facts and circumstances of the case and since the co-accused in this case were granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, 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 of receipt of a copy of this order, before the learned Additional Mahila Court, (Judicial Magistrate Level), Madurai on condition that the petitioner 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police as and when required for interrogation;

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

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

(e)on breach of any of the aforesaid conditions, 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 learned 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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

04/03/2019

/ TRUE COPY /

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

TO

1 THE ADDITIONAL MAHILA COURT,
<https://hcservices.ecourts.gov.in/hcservices/>
(JUDICIAL MAGISTRATE LEVEL),
MADURAI.



2.DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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

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

+1. CC to MR.J.SURESH Advocate SR.No.4178

ORDER

IN

CRL OP (MD) No.3314 of 2019

Date :04/03/2019

AE/JC/SAR-II/07.03.2019/3P/6C