



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

Friday, the Twenty Ninth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4576 of 2019

MAHARIBA BEEVI

... PETITIONER / ACCUSED No. 2

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUVADANAI,
RAMANATHAPURAM DISTRICT.
(CRIME NO.1 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.ANAND 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 offence under Sections 498(A), 294 (b) and 506(ii) of IPC in Cr.No.1 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the first accused and the defacto complainant was solemnized on 16.04.2007 and they were blessed with two childrens. However the first accused indulged in immoral activities and when the same was questioned by the defacto complainant, the petitioners started demanding more dowry and harassed her. Hence the complaint

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and she is an innocent person. He would also submit that the petitioner is mother-in-law.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that A1 in this case was arrested and released on bail.



5. Considering the facts and circumstances of the case and also considering the fact that A1 in this case was arrested and released on bail and also there is no serious allegations against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District 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 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 daily 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/-
29/03/2019

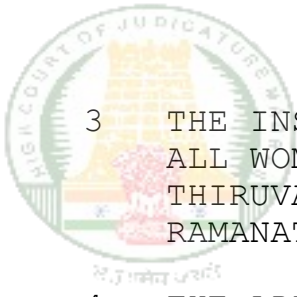
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
THIRUVADANAI, RAMANATHAPURAM DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT



3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUVADANAI,
RAMANATHAPURAM DISTRICT.

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

+1. CC to MR.R.ANAND Advocate SR.No.5842

ORDER

IN

CRL OP (MD) No.4576 of 2019

Date :29/03/2019

MSI/PN/SAR 3/02.04.2019/3P-6C