



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

Monday, the Eighth day of April Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

WEB COPY

CRL OP (MD) No.4785 of 2019

1 VALLIAMMAI
2 PONNUCHAMY
3 MEENA
4 PONNARASI
5 THIYAGARAJAN

... PETITIONERS / ACCUSED NO.2 to 6

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAPPARAI, TRICHY DISTRICT.
CRIME NO.3/2019

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.P.SARAVANAKUMAR, Advocate for
Mr.P.KALAIYARASI BHARATHI Advocate

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

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

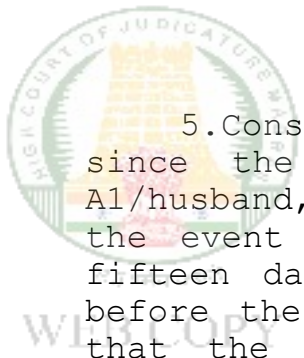
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 294(b), 494 I.P.C and 4 of Dowry Prohibition Act, 1961, in Crime No.3 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are the in-laws of the defacto complainant. There was a family dispute between the defacto complainant and her husband/A1. Hence, the defacto complainant lodged a complaint against her husband/A1 and these petitioners/A2 to A6.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they are innocent persons. Hence he prayed for anticipatory bail for the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the defacto complainant's husband/A1 already arrested and still remanded under judicial custody and these petitioners are in-laws.



5. Considering the facts and circumstances of this case and since the petitioners are in-laws, the allegation as against A1/husband, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manapparai, on condition that 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 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 petitioners and the sureties shall affix his 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 petitioners shall report before the respondent police as and when required for interrogation;

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

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

08/04/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUB INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
MANAPPARAI, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.P.KALAIYARASI BHARATHI Advocate SR.No.6385

ORDER IN

CRL OP(MD) No.4785 of 2019

Date : 08/04/2019