



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

Thursday, the Twenty First day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.684 of 2019

1.ABIBUNNISA MOHAMED HANIFA

2 RABIIYATHUL BASIRIYA

3 NAJUNNISHA

... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
SRIRANGAM ALL WOMEN POLICE STATION,
TRICHY DISTRICT.

(*) (CRIME NO.1 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.JEYAKUMARAN Advocate

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

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

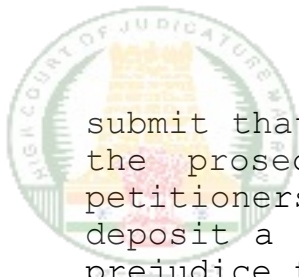
ORDER : The Court Made the following order :-

The petitioners who are apprehending arrest at the hands of the respondent police for the alleged offence under Sections **(**) 498 (A) , 406 IPC** in **(*)Cr.No.1 of 2019**, on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the marriage between the defacto complainant and one Kathar Ahamed was solemnized on 09.09.2018. At the time of marriage, the defacto complainant gave 10 sovereigns of gold as srithana. Thereafter, the husband of the defacto complainant went Dubai for his employment and thereby, the in-laws of the defacto complainant harassed the defacto complainant by demanding additional dowry. Hence, the complaint.

<https://hcservices.ecourts.gov.in/hcservices/>

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. However, the petitioners in order to show their bonofide, they are ready to deposit a sum of Rs.50,000/- to the credit of crime number, without prejudice to their defence before the court below.

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4.The learned counsel Government Advocate(Crl.side) appearing for the respondent police would submit that investigation is pending.

5.Considering the facts and circumstances of the case and considering the fact that the petitioners gave a undertaking to deposit a sum of Rs.50,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, 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 No.III, Tiruchirappalli, on condition that the petitioners shall execute 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 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 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 petitioners shall jointly deposit a sum of Rs.50,000/- to the credit of Cr.No. 1 of 2019 before the learned Judicial Magistrate No.III, Tiruchirappalli, within a period of two weeks from the date of receipt of a copy of this order;

(c)the petitioners shall report before the respondent police as and when required;

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

(e)the petitioners shall not abscond either during investigation or trial;

(f)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**



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

sd/-

21/02/2019

(*)() Amended as per the order of Hon'ble
Court made in CRL.MP(MD).NO.938 of 2019
in CRL OP(MD).NO.684 of 2019 vide order
dated 21.02.2019 by MDIJ**

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III
TIRUCHIRAPPALLI.
 2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.
 3. THE INSPECTOR OF POLICE,
SRIRANGAM ALL WOMEN POLICE STATION,
TRICHY DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.J.JEYAKUMARAN Advocate SR.No.3485

ORDER

IN

CRL OP(MD) No.684 of 2019

Date : 21/02/2019

GNS

AE/PN/SAR-I/13.03.2019/4P/6C