



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 19/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8472 of 2019

Neha Gulathi Bandari,
Cox Kings Limited,
Connaught Place,
Delhi-110 001.

... Petitioner/Accused No.5

Vs

State represented by,
The Inspector of Police,
All Women Police Station,
Tiruparankundram,
Madurai Cr.No.7/2019.

... Respondent/Defacto Complainant

For Petitioner : M/s.P.Senthilkumar,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Govt.Advocate (Crl.Side).

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

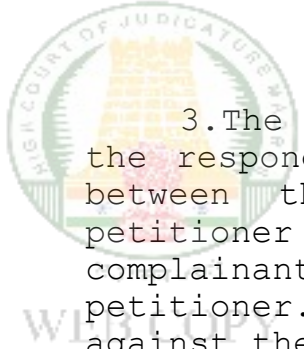
PRAYER :-

For Anticipatory bail in Cr.No.7/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 498(A), 420 and 506(ii) IPC and Section 4 of Dowry Prohibition Act, in Crime No.7 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioner.



3. The learned Government Advocate (Criminal Side) appearing for the respondent has submitted that there was a matrimonial dispute between the first accused and the defacto complainant. The petitioner herein is arrayed as Accused No.5. The defacto complainant's husband/accused No.1 had illegal relationship with the petitioner. Therefore, the defacto complainant lodged a complaint as against the petitioner.

4. Taking into consideration of the fact that the dispute is between the husband and wife, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the 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 Judicial Magistrate No.IV, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three days and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) 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].

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

sd/-

24/06/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO. IV,
MADURAI

2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI

3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TIRUPARANKUNDRAM, MADURAI

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

+1. CC to M/S.P.SENTHILKUMAR Advocate SR.No.10074

ORDER

IN

CRL OP (MD) No.8472 of 2019

Date : 24/06/2019

DAS

PK/JC/SAR-2/24.06.2019 : 3P/6C