

(2004) 03 MAD CK 0192

Madras High Court

Case No: Criminal Original Petition No. 8979 of 2004

G. Maheswari

APPELLANT

Vs

State, Inspector of Police,
Chengam All Women Police
Station, Thiruvannamalai
District, Cr. No. 1/04

RESPONDENT

Date of Decision: March 16, 2004

Citation: (2004) 1 LW(Cri) 479

Hon'ble Judges: A.K. Rajan, J

Bench: Single Bench

Advocate: M. Ravikumar, for the Appellant; V. Jayaprakash Narayanan, Government Advocate, for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

A.K. Rajan, J.

Heard.

2. The offence alleged against the Petitioner is punishable under Sections 376, 506(ii), I.P.C.

Learned Government Advocate (Crl,Side) represented that the Petitioner demanded only dowry and she has nothing to do with the offence u/s 376, 506(ii) I.P.C.

3. Considering the fact and circumstances of the case, the Petitioner is directed to be enlarged on bail on her executing a bond for a sum of Rs. 5000/- (Rupees five thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate. Chengam with further condition that she shall report before the Respondent daily at 10.00 a.m. until further orders.

Order 23.3.2004

This petition having been posted this day for being mentioned pursuant to the Order of this Court dated 16.03.2003 and made herein and in the presence of Mr. M. Ravikumar, Advocate for the Petitioner and of Mr. M.K. Subramanian. Government Advocate (Criminal Side) on behalf of the Respondent, the Court made the following order:

This matter has been posted today der the caption "being mentioned.

This Court-granted bail on 16.03.20(sic) in Crl.O.P. No. 8979 of 2004 in Crl(sic) No. 1/2004.

The learned Counsel for the petition submits that in the bail order, offence Section 4 of Dowry Prohibition Act has been mentioned and therefore, the learn Magistrate is not accepting the sureties.

Heard the learned Government Advocate (Crl. Side)

It is strange that the Magistrate do not accept the sureties even though the order of this Court was produced and the petitioner's name, Respondent's name and the(sic) Crime number tally. There was no reason accept the sureties. The Magistrate shall accept sureties if the name of the accuse crime number and the police station tall with the F.I.R. pending before the Court For such trivial omission such as omission of particular section of I.P.C. or any other Act is not aground (sic Not) to accept the sureties.

With this clarification, the petition is closed.