



CRL OP(MD). No.12909 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12909 of 2023

1.Vijayalakshmi

2.Nagaraj

3. Shilpa

... Petitioners/ Accused Nos.2 to 4

Vs

The State, represented by

The Inspector of Police,

All Women Police Station,

Karaikudi, Sivagangai District.

Crime No.25 of 2022.

... Respondent/ Complainant

For Petitioner : Mr.G.VINODHKUMAR, Advocate.

For Respondent : S.MANIKANDAN, Government Advocate (Crl.Side)

For Intervenor : Mr.K.MAHARAJAN, Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No.25/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 498(A), 506

(i) IPC and 4 of TNPWH Act, in Crime No.25 of 2022 on the file of the respondent

Police, seek anticipatory bail.



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2. The case of the prosecution is that the defacto complainant and the first accused got married on 06.04.2015. During the time of marriage, totally 51 sovereigns of gold jewels and house hold articles were given as Sridhana. Further, Rs.2,00,000/- was transferred to the account of the second petitioner. After marriage, the petitioners, who are in-laws of the defacto complainant made harassment to the defacto complainant demanding more dowry. On 11.03.2019, the first accused sent divorce notice. On 21.03.2023, first accused filed an affidavit before the Principal Family Court, Bengaluru, stating that all the articles and jewels were returned back to the defacto complainant. But till date, the accused persons did not return the Sridhana articles and the jewels also. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. The first accused was granted anticipatory bail in CrI.O.P(MD) No.14557 of 2023, dated 07.03.2023. So far as this petitioners are concerned, they are in-laws of the defacto complainant and only limited overt act is attributed against the petitioners. The third petitioner is the sister-in-law of the defacto complainant, who is residing in Chennai, she is no way connected in this case.

4. The learned counsel for the defacto complainant would submit that the 51 sovereigns of gold has been given to the third respondent and the same was taken by



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her, but failed to return. Even before the Mediation Centre, the petitioners failed to appear.

5. Considering the nature of offence and also considering that it is a family issue and co-accused has been granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Principal District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District, 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 learned Magistrate concerned. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. Let the defacto complainant give a seperate complaint against the persons with regard to the above said custody fo the jewels, since it has been stated by the learned counsel for the petitioner that no such jewellery was handed over to the third respondent. Since it is the serious dispute, let the petitioners appear before the respondent Police once in a month (i.e) on first sunday of every month at 10.30 a.m., until further orders .

8. The petitioners shall appear before the concerned Magistrate within a period



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of 15 days from the date on which the order copy made ready, failing which, the
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petition for anticipatory bail stands dismissed.

sd/-
18/08/2023

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/09/2023

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

INDU
TO

1 THE PRINCIPAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.G.VINODHKUMAR, Advocate (SR-39362[F] dated 18/08/2023)

+1 CC to M/s.A.KARTHIK, Advocate (SR-12557[I] dated 22/08/2023)

ORDER IN
CRL OP(MD) No.12909 of 2023
Date :18/08/2023

SA/VR/SAR. /04.09.2023/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.