



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

Wednesday, the Twelfth day of December Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21913 of 2018

1. JEYAKUMAR,
2 MADHESWARI,
3 MALLIGA,
4 JEYAPANDIAN,
5 VALARMATHI,
6 ANBUSELVAN,

... PETITIONERS / ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIRENGAM,
TIRUCHIRAPPALLI,
TIRUCHIRAPPALLI DISTRICT.
(CRIME NO.34/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.A.THIRUVADI KUMAR Advocate

For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498-A, 406 and 506(i) I.P.C, in Crime No.34 of 2018, seeks anticipatory bail.

2. According to the petitioners, the first petitioner is husband and other petitioners are in-law of the defacto complainant. The marriage between the first petitioner and defacto complainant was solemnized on 27.04.2018 at Aathur, Salem. Thereafter, the first petitioner and defacto complainant set up a nucleus family. The petitioners 2 to 4 are living separately at Salem and petitioners 5 and 6 are living separately at Trichy. In the meanwhile, there seems to be a dispute between the first petitioner



and defacto complainant and the defacto complainant left the matrimonial home on 18.07.2018 and she is residing with her parents. The first petitioner is working as Manager in Axis Bank at Chennai and the defacto complainant is working in TCS, Sirucher, Chennai.

3.The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that the petitioners have demanded a house property and cash for a sum of Rs.60,000/- from the defacto complainant. Hence, it amounts to dowry demand. Due to which, the defacto complainant had been subjected to cruelty. He would further submit that this case has been registered on 07.12.2018. The defacto complainant preferred a complaint before the same respondent two months prior to the registration of this case for a similar allegation and it was assigned as C.S.R.No.368/2018. During enquiry in CSR, the petitioners have appeared before the respondent and submitted their explanations, thereafter, it was closed. This case has been registered on the same facts.

4.Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions;

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate/Additional Mahila Court, Tiruchirappalli, on condition that the petitioners shall each 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 learned Magistrate concerned and on further condition that;

[a] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the first petitioner shall report before the respondent Police weekly twice i.e Saturday and Sunday at 10.00 a.m for a period of two weeks thereafter as and when required for interrogation. The petitioners 2 to 6 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]**.



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/12/2018

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

TO

1. THE ADDITIONAL MAHILA COURT,
/JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIRENGAM, TIRUCHIRAPPALLI,
TIRUCHIRAPPALLI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to MR.A.THIRUVADI KUMAR Advocate SR.No.23185

ORDER
IN
CRL OP (MD) No.21913 of 2018
Date :12/12/2018

vs
AE/JC/SAR3/17.12.2018/3P/6C