



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

Wednesday, the Thirteenth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.21421 of 2018

1 P.GOVINDHAN

2 G.RAJAMMAL

3 G.MURUGAN

... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

SAMAYANALLOOR, MADURAI DISTRICT.

IN CRIME NO.NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.J.ANANDKUMAR, Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,

Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 498(A) and 506(i) I.P.C. in Cr.No.Not Known of 2018 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution the first petitioner is 63 years old, the second petitioner is the sister of the first petitioner and the third petitioner is the son of the second petitioner and they are lived together. The first petitioner decided to marry the defacto complainant with the consent of both family members. The marriage was solemnized between the first petitioner and the defacto complainant on 28.05.2018. Thereafter, the second and third petitioners were harassing the defacto complainant for demanding dowry and the same was expressed to the first petitioner, but the first petitioner did not take any action. Hence, the defacto complainant lodged a complaint before the respondent police against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that this is a family dispute.

5.Considering the facts and circumstances of the case and also considering the age of the first and second petitioners, this Court is inclined to grant anticipatory bail to the petitioners. 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, Vadipatty, 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 learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the first and third petitioners shall report before the respondent police daily at 10.30 a.m., until further orders and the second petitioner shall appear 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 petitioner 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]**; and;

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

sd/-

13/02/2019

/ TRUE COPY /

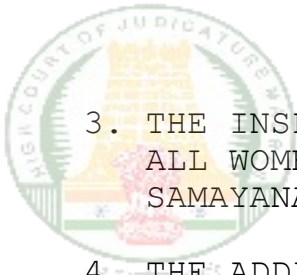
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, VADIPATTY.

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

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SAMAYANALLOOR, MADURAI DISTRICT.

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

+1. CC to Mr.J.ANANDKUMAR Advocate SR.No.3114

ORDER

IN

CRL OP (MD) No.21421 of 2018

Date :13/02/2019

MS/VR/SAR-3/20.02.2019/3P.6C