



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP(MD) No.1965 of 2019

1 JEYAKUMAR  
2 NAGARAJ  
3 RANI

... PETITIONERS / A1 TO A3

Vs

THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
TIRUPPARAKUNDRAM,  
MADURAI DISTRICT.  
Crime No.12/2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.N.MARIAPPAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI  
Govt. Advocate ( Crl. Side)

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

**ORDER :** The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 406 I.P.C., in Crime No.12 of 2018, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the husband of the de-facto complainant and their marriage was performed on 06.12.2013. Thereafter, the petitioner and other accused persons demanded more dowry.

3.The learned counsel appearing for the petitioners submitted that the first petitioner is the husband and the petitioners 2 and 3 are father-in-law and mother-in-law of the de-facto complainant and the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that investigation is pending.



5.Considering the serious nature of allegations levelled against the first petitioner, this Court is not inclined to grant anticipatory bail to him. Accordingly, this Criminal Original Petition is dismissed in respect of the first petitioner is concerned.

6.Accordingly, the petitioners 2 and 3 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, Additional Mahila Court, Madurai, on condition that each of them 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners 2 and 3 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the second petitioner shall report before the respondent police daily at 10.30 a.m. for a two weeks and thereafter, as and when required for interrogation. The third petitioner shall report before the respondent police as and when required for interrogation;

(c)the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 2 and 3 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 2 and 3 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/-  
07/02/2019

/ TRUE COPY /



TO

1. THE ADDITIONAL MAHILA  
JUDICIAL MAGISTRATE COURT, MADURAI.

2. THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.

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

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

+1. CC to Mr.N.MARIAPPAN Advocate SR.No.2701

ORDER

IN

CRL OP(MD) No.1965 of 2019

Date :07/02/2019

TK/PN/SAR-2/14.02.2019/3P/6C