



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

Monday, the Eighteenth day of February Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

WEB COPY

CRL OP (MD) No.2473 of 2019

1 KRITHIGA
2 SARANYA

... PETITIONERS / ACCUSED NOS.2 & 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
(CRIME NO.2/2019)

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.N.ANANDAKUMAR, 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 are apprehending arrest at the hands of the respondent police for the alleged offence under Sections 498(A) IPC and Section 4 of the Dowry Prohibition Act and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Cr.No.2 of 2019, on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the petitioners are sister in-laws of the defacto complainant and that marriage between A1 and the defacto complainant was solemnized on 17.08.2018 and thereafter, the petitioners and other accused persons demanded more dowry and harassed the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and that they are innocent persons. He would further submit that A4 was already enlarged with bail by this Court in Crl.O.P.(MD)No.21928 of 2018, who is mother-in-law of the defacto complainant and hence, he would pray for anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.sid) appearing for the respondent police would submit that investigation is pending.

5.Considering the facts and circumstances of the case and considering the fact that the co-accused was already enlarged with



bail, 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 No.II, Srivilliputhur, 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required;

(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]**; and;

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

sd/-

18/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, SRIVILIPUTHUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.
3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.N.ANANDAKUMAR Advocate SR.No.3299

ORDER IN

CRL OP(MD) No.2473 of 2019

Date :18/02/2019