



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

Friday, the First day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.3220 of 2019

1 DHARMARAJ
2 MANIKANDEESWARAN
3 PARVATHI

... PETITIONERS / A1 to A3

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
MANAMADURAI ALL WOMEN POLICE STATION,
SIVAGANGAI DISTRICT
(CRIME NO.3/2019)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.A.BANUMATHY 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 offences under Section 498(A) of IPC, in Cr.No.3 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the de-facto complainant was solemnized on 30.08.2018. After the marriage, the petitioners harassed the de-facto complainant by demanding additional dowry. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the first petitioner is the husband and the second and third petitioners are in laws of the de-facto complainant. He would further submit that there are some allegations against A1 and there is no allegations against A2 and A3 and the investigation is also pending.



5. Considering the facts and circumstances of this case and also considering the fact the allegations are only against A1, this Court is not inclined to grant anticipatory bail to the first petitioner.

6. Considering the fact that there is no allegation against the second and third petitioners, this Court is inclined to grant anticipatory bail. Accordingly, the second and third 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, Manamadurai, Sivagangai District, condition that the second and third 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 second and third 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 second and third petitioners shall report before the respondent police as and when required for interrogation;

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

(d) the second and third 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 second and third petitioners in accordance with law as if the conditions have been imposed and the second and third 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/-

01/03/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
MANAMADURAI, SIVAGANGAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT



3 THE INSPECTOR OF POLICE
MANAMADURAI ALL WOMEN POLICE STATION,
SIVAGANGAI DISTRICT

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

+1. CC to M/S.A.BANUMATHY Advocate SR.No.4226

ORDER
IN
CRL OP(MD) No.3220 of 2019
Date :01/03/2019

MSI/PN/SAR 4/07.03.2019/4P-6C