



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

Wednesday, the Tenth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4415 of 2019

1.R.PRAVEEN
2 D.RAGU
3 R.VIJAYA
4 D.BASKAR
5 B.SANGEETHA

... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

THE STATE
INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
CONTONMENT,
TRICHY DISTRICT.
(CRIME NO. NOT KNOWN OF 2019)

... RESPONDENT / COMPLAINANT

A.NANDHINIBALA

... PETITIONER/DEFACTO COMPLAINANT
IN CRL MP(MD).NO.3428 of 2019 in
CRL OP(MD).NO.4415 of 2019

For Petitioners : MR. A.T. VIJAY Advocate

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

For Intervenor : M/S.YAMUNA, Advocate

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 Sections 294(b), 323 & 506(ii) and 498 (A) of IPC, in Cr.No.not known of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage of the first petitioner and the defacto complainant took place on 06.09.2018.

Thereafter, the first petitioner demanded more dowry, for which the defact complainant wife filed this complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. However, even there are some allegations against the first petitioner, no allegations against the other petitioners. Accordingly, he prayed for anticipatory bail.

4.The learned counsel for the intervenor vehemently opposed for grant of anticipatory bail to the in-laws also since they demanded 35 soverings of jewels and Rs.8 lakhs cash from the defacto complainant.

5.The learned Government Advocate (Crl.Side) appearing for the State would submit that there are no serious allegations against the in-laws.

6.Considering the facts and circumstances of the case and since there are serious allegation against the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner and since there is no serious allegation against the petitioners 2 to 5, this Court is inclined to grant anticipatory bail to the petitioners 2 to 5. Accordingly, petitioners 2 to 5 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, Trichy, on condition that the petitioners 2 to 5 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:

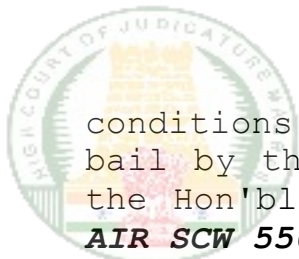
(a)the petitioners 2 to 5 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners 2 to 5 shall appear before the respondent police as and when required for interrogation;

(c)the petitioners 2 to 5 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 2 to 5 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 2 to 5 in accordance with law as if the



conditions have been imposed and the petitioners 2 to 5 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.

7.This criminal original petition is dismissed with regard to the first petitioner.

sd/-
10/04/2019

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II,
TRICHY.
- 2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
CONTONMENT, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4415 of 2019
Date :10/04/2019

AE/VR/SAR-I/15.04.2019/3P/5C