



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

Friday, the Eighteenth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.621 of 2019

1.V.VIJAYA
2.V.MANOCHARAN

... PETITIONERS / ACCUSED
Nos.2 and 3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THALLAKULAM,
MADURAI.
Crime No.55 of 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.N.SUDHAGAR NAGARAJ 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 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.55 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first accused and the de facto complainant were taken place on 01.12.2017. At the time of marriage, the de facto complainant's family had given 53 sovereigns gold Jewels and seethana articles to their marriage. After their marriage, the petitioners and their family members harassed and threatened the de facto complainant by demanding additional dowry. The first petitioner herein is the mother-in-law of the de facto complainant and the second petitioner herein is the brother-in-law of the de facto complainant.

3.Heard the learned Government Advocate (Crl. side) appearing for the respondent.

4.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners herein.



5. 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 Mahila Judicial Magistrate, Madurai, 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter 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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/01/2019

/ TRUE COPY /

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

TO

1. THE MAHILA JUDICIAL MAGISTRATE,
MADURAI.

<https://hcservices.mca.gov.in/hcservices/>
2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI.

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

+1. CC to Mr.N.SUDHAGAR NAGARAJ Advocate SR.No.900

ORDER
IN
CRL OP (MD) No.621 of 2019
Date :18/01/2019

TK/VR/SAR-1/23.01.2019/3P/6C