



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.6990 of 2019

1 S.K.SURESH ANAND
2 S.KANAGARAJ
3 K.MUTHULAKSHMI
4 S.K.KAMALANAND

... PETITIONERS / ACCUSED NO.1 TO 4

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALANI, DINDIGUL DISTRICT.
(CRIME NO.04/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.MARAN Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406, 323, 506(i) IPC in Crime No.04 of 2019 on the file of the respondent police, seek anticipatory bail.

2.Heard Mr.M.Maran, learned Counsel for the petitioners and Mr.A.Robinson, learned Government Advocate (Crl. Side) appearing for the State.

3.The case of the prosecution is that the defacto complainant is the wife of the first petitioner. After marriage, the petitioners harassed the defacto complainant by demanding additional dowry and also assaulted her. Hence, the complaint.

4.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to these petitioners.



5.The learned Government Advocate (Crl. Side) appearing for the respondent Police opposes the grant of anticipatory bail.

6.Taking into consideration the facts and circumstances of the case and there is no bad antecedent against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with the following conditions.

8.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 on which the order copy was made ready before the learned Judicial Magistrate, Palani, Dindigul District, on condition that the petitioners shall execute a separate 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 and on further conditions that:-

[a] the petitioners as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the first petitioner shall report before the respondent police every Monday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required. The other petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper the evidence or witness either during investigation or trial.

[d] the petitioners shall co-operate for the investigation and the trial. The petitioners shall not abscond either during investigation or trial and in event of the petitioners absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioners, as per the principles laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-

15/05/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
PALANI, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.



3 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALANI, DINDIGUL DISTRICT.

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

+1 CC to M/s.M.MARAN, Advocate (SR-8354[I] dated 15/05/2019)

ORDER

IN

CRL OP (MD) No.6990 of 2019

Date :15/05/2019

JM/JC/SAR 1/20.05.2019/3P/6C