



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

( Criminal Jurisdiction )

Date : 17/06/2019

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PRESENT

**The Hon`ble Mr.Justice P.RAJAMANICKAM**

CRL OP(MD) . No.8353 of 2019

1.Kannan  
2.Angelo

... Petitioners/Accused Nos.2 & 3

Vs

State represented by its  
The Inspector of Police,  
All Women Police Station, Manamadurai,  
Sivagangai District.  
Crime No.6 of 2019

... Respondent/Complainant

For Petitioners: M/s.S.Ramasamy,  
Advocate.

For Respondent : Mrs.M.Anantha Devi,  
Govt.Advocate (Crl.Side).

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

PRAYER :-

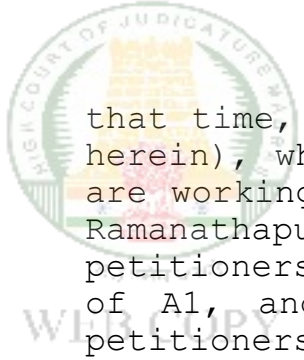
For anticipatory bail in cr.no.6 of 2019 on the file of the respondent police.

**ORDER :** The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 494 and 506 (i) of IPC, in Crime No.6 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are innocents and they have been falsely implicated in the above case. He further submitted that the defacto complainant and A1 are husband and wife. He further submitted that the parents of A1 died, when A1 was a child. From



that time, A1 is under the care and custody of A2 & A3 (petitioners herein), who are the maternal uncle and aunt of A1. The petitioners are working as Head master and Head Mistress in Panchayat School at Ramanathapuram District. A1 is working at Thoothukudi. Hence, the petitioners are in no way connected with the alleged second marriage of A1, and hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the petitioners along with A1, demanded dowry from the defacto complainant and hence, she opposed this petition.

5. Taking into consideration of the fact that the petitioners are working at Ramanathapuram District and A1 is working at Thoothukudi District and also the submissions made by the learned counsel for the petitioners that the petitioners are not aware of second marriage of A1 and also the fact that the petitioners are not parents of A1 and only they brought up A1, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Manamadurai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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].



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

sd/-  
17/06/2019

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

TO

- 1.The Judicial Magistrate,  
Manamadurai.
- 2.The Chief Judicial Magistrate,  
Sivagangai District.
- 3.The Inspector of Police,  
All Women Police Station, Manamadurai,  
Sivagangai District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.RAMASAMY, Advocate ( SR-9857[I] dated 17/06/2019 )

ORDER  
IN  
CRL OP(MD) No.8353 of 2019

dss  
TK/JC/SAR.3/24.06.2019/3P/6C