



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

Friday, the Fifth day of July Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.9507 of 2019

1 SIRANJEEVI KUMAR
2 NATARAJAN
3 VANITHA DEVI
4 SURESH KUMAR

... PETITIONERS / ACCUSED NO.1 TO 4

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION
THALLAKULAM, MADURAI CITY,
MADURAI DISTRICT.
(CRIME NO. 22/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.VENKATESWARAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

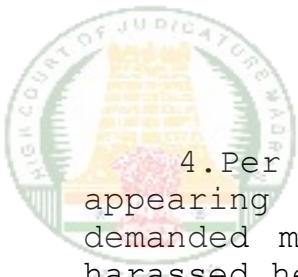
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 406 and 506(i) IPC, in Crime No.22 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Even as per the FIR, on 02.07.2014, the defacto complainant married the petitioner/A1. They blessed with two children. The petitioners demanded more dowry from the defacto complainant and continuously harassed her and criminally intimidated her. He further submitted that the defacto complainant only possesses all her jewels and no incident taken place on 22.02.2019, and therefore, he prayed for grant of anticipatory bail to the petitioners.



4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent has submitted that the petitioners demanded more dowry from the defacto complainant and continuously harassed her and criminally intimidated her. Hence, she opposed this petition.

5. The main allegation is against first petitioner/A1 only. The petitioners 2 to 4 are in-laws. Hence, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 with certain conditions. Insofar as the first petitioner/A1 is concerned, serious allegation made against him as he has caused cruelty to the defacto complainant by retaining her jewels and also demanded further dowry from the defacto complainant, this Court is not inclined to grant anticipatory bail to the first petitioner/A1.

8. Accordingly, the petitioners 2 to 4 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 Court/Additional Mahila Court, Madurai, on condition that the petitioners 2 to 4 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 2 to 4 fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners 2 to 4 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 2 to 4 shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners 2 to 4 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.



9. Insofar as the first petitioner/A1 is concerned, this petition is dismissed.

sd/-

05/07/2019

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/ TRUE COPY /

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

TO

1 THE ADDITIONAL MAHILA JUDICIAL MAGISTRATE,
MADURAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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

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

+1. CC to M/S.S.SABBANI KARBURA JOTHI, Advocate SR.No. 11409

ORDER

IN

CRL OP(MD) No.9507 of 2019

Date :05/07/2019

JM/VR/SAR 1/16.07.2019/3P/6C