



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

Tuesday, the Twelfth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) Nos.21576 of 2018 & 2232 of 2019

REGU GURU SUNDAR,

... PETITIONER / ACCUSED RANK NOT KNOWN
IN CRL OP(MD).NO.21576 OF 2018

1.RAGURAMAN

2.SHANMUGAM

3.R.BALAGURU

4.SANTHANAMEENAL

... PETITIONERS/ACCUSED RANK NOT KNOWN
IN CRL OP(MD).NO.2232 OF 2019

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI TOWN (SOUTH),
MADURAI CITY.

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

(IN CRIME NO.NOT KNOWN/2018) ... IN CRL OP(MD).NO.21576 OF 2018
(IN CRIME NO.23 OF 2018) ... IN CRL OP(MD).NO.2232 OF 2019

For Petitioner : MR.K.R.LAXMAN FOR M.VEILKAN RAJU Advocate
IN CRL OP(MD).NO.21576 OF 2018

: MR.K.R.LAXMAN, Advocate
IN CRL OP(MD).NO.2232 OF 2019

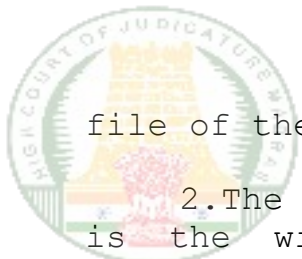
For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side) IN BOTH PETITIONS

For Intervener : MR.P.MAHENDRAN, Advocate
IN CRL OP(MD).NO.21576 OF 2018

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

ORDER : The Court Made the following order :-

The petitioners in both petitions, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 498(A), 406 and 506(i) of IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act in Crime No.23 of 2018, on the



file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the wife of A1. Marriage was solemnised between them on 17.03.2006 and they blessed with two children. The defacto complainant is working as a School Teacher in Velammal Bodhi Campus, Sindhamani Village. The petitioner/A1 is working as Assistant Professor in Tamilnadu Government Polytechnic College, Opp. to Madura College, Near Periyar Bus Stand, Madurai. There was a matrimonial dispute arose between them, since A1 along with other accused persons demanded more dowry from the defacto complainant and harassed her. Moreover, he suspects her fidelity. Hence, they were separated from each other. The defacto complainant living with her parents and the A1 is also living with his parents at Thirupuvanam. Hence, the defacto complainant lodged a complaint before the respondent police.

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, the A1 as well as the defacto complainant would jointly represented that both parties were compromised themselves to find a suitable place for their residence in Madurai by taking into consideration of their children's future.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that in view of the decisions taken by both parties, he has no objection to pass orders in this petition.

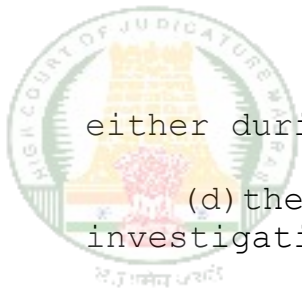
5.Considering the facts and circumstances of this case and in view of the compromise arrived between the parties as they decided to find place in Madurai for their residence by considering the benefits of their children, the petitioners in both petitions are ordered to be released on bail in the event 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 cum Additional Mahila Court, 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 learned Magistrate concerned and on further condition that:

(a)the petitioners 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 shall report before the respondent police as and when required for interrogation;

<https://hcservices.ecourts.gov.in/hcservices/>

(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]**; and;

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

sd/-

12/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE CUM
ADDITIONAL MAHILA COURT, MADURAI.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI TOWN (SOUTH), MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

- +1. CC to MR.M.VEILKAN RAJU Advocate SR.No.3136
- +1. CC to MR.P.MAHENDRAN Advocate SR.No.46499
- +1. CC to MR.K.R.LAXMAN Advocate SR.No.3135

ORDER
IN

CRL OP (MD) Nos.21576 of 2018 & 2232 of 2019
Date : 12/02/2019

AE/JC/SAR-II/15.02.2019/3P/8C