



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.3802 of 2020

1. Sangeethkumar,
2. Panchavarnam,
3. N.Manikandan,
4. M.Sarathkumar,
5. M.Sangeetha,,
6. Seethalakshmi,
7. Seenithai,, ... Petitioners/Accused Rank Not Known

Vs

State rep.by
The Sub Inspector of Police,
All Women Police Station,
Madurai South,
In Crime No. 18 of 2020. ... Respondent/Complainant

For Petitioners : M/s.M.Sheik Abdullah,
Advocate.
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in crime No. of 2020 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) seek anticipatory bail.

2. The wife of the first petitioner has given complaint to the respondent police alleging that her husband and in-laws are demanding dowry and thrown her away from the matrimonial home.



3. From the complaint this Court finds that the petitioners demanded Rs. 2,00,000/- dowry and harassed the defacto complainant and tried to reconcile with the first petitioner through mediator, but it had failed. Earlier she has given similar complaint before All Women Police Station, Samayanallur and it was closed after parties arrived at settlement. Again she being forced to come out from the matrimonial home she has given this complaint and the police has registered First Information Report in Crime No. 18 of 2020.

4. From the case file and complaint this Court finds that the first petitioner and the defacto complainant and the defacto complainant got married on 06.07.2016 and they have no issues. The discord between them has been prevailing for quite some time. In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court (Magisterial Level), Madurai on condition that the petitioners shall execute a bond for a sum of Rs.1,00,000/- (Rupees One lakh 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:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the 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 daily at 10.30 a.m until further orders

(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/-
13/03/2020

WEB COPY

/ TRUE COPY /

/ /2020

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

TO

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

+1 CC to M/s.M.SHEIK ABDULLAH, Advocate (SR-5234[I] dated
13/03/2020)

ORDER
IN
CRL OP(MD) No.3802 of 2020
Date :13/03/2020

AAV
MS/PN/SAR-I (17.03.2020) 3P 6C