



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.3846 of 2020

1. Selvamani
2. Ramesh
3. Ishwariya
4. Soundariya

... Petitioners/Rank Not Known

Vs

The Inspector of Police,
All Women Police Station
Uthamapalayam
(Crime No.not known of 2020)

... Respondent/Complainant

For Petitioners: M/s.M.Eswaran,
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 petition for anticipatory bail for alleged offences under Sections 498(A), 294(b), 323 and 506(ii) of IPC.

2. The marriage between the defacto complainant and Vishnu who is the son of the first petitioner herein was solemnized on 14.03.2018 and the defacto complainant family has spent more than Rs.5,00,000/- for marriage. Even then she had been harassed by the petitioners herein and on the date of occurrence i.e., on 12.12.2019 she was physically assaulted and driven away from the matrimonial home. After knowing that the defacto complainant has given complaint before the respondent police the husband of the defacto



complainant has filed petition for divorce and the family members have filed this anticipatory bail without mentioning the Crime number.

3. The learned Government Advocate (Crl.Side) would submit that the petition given by Kaviya is pending enquiry and these petitioners are appearing for enquiry.

4. Since the petitioners are co-operating for enquiry, this Court is of the opinion that being in-laws, anticipatory bail may be granted to the petitioners on condition.

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 learned Judicial Magistrate, Uthamapalayam on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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:

(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 as and when required for interrogation.

(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;

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

sd/-
13/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE
UTHAMAPALAYAM
- 2 THE CHIEF JUDICIAL MAGISTRATE
THENI
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
UTHAMAPALAYAM
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.ESWARAN, Advocate, SR.No.5353

ORDER
IN
CRL OP(MD) No.3846 of 2020
Date :13/03/2020

ME/JC/SAR 3/18.03.2020/3P/6C