



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7521 of 2020

1. Parasuraman
2. Indrani
3. Pandi
4. Nagarani@Gunavathi
5. Ramakrishnan
6. Panchavarnam

... Petitioners/A-2 to A7

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Tirupparankundram,
Maduari District
Crime No.Not Known of 2020.

... Respondent/Complainant

S.Shunmuga Divya

... Petitioner/De-facto Complainant
in CRL MP(MD)No.3684 of 2020 in
CRL OP(MD)No.7521 of 2020

For Petitioners: Mr.S.Ravi,
Advocate.

For Respondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Crl.Side)

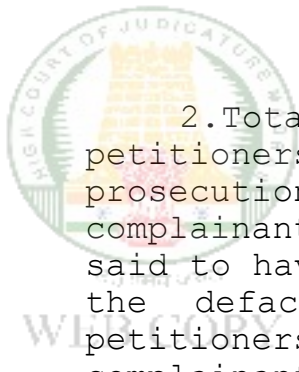
For Intervener : Mr.J.Bharathan, Advocate

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

PRAYER :-For Anticipatory Bail in Crime No. Not Known of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A2 to A7, apprehending arrest at the hands of the respondent police for the offences punishable under sections 498(A), 406 and 506(i) of IPC, in Crime No.10 of 2020 on the file of the respondent police, seek anticipatory bail.



2. Totally there are seven accused in this case. The petitioners are in-laws of the defacto complainant. The case of the prosecution is that the marriage between A1 and the defacto complainant was solemnized on 05.03.2020. After the marriage, A1 said to have demanded a Seven Seater car and a house at Chennai from the defacto complainant and harassed her. Insofar as the petitioners are concerned, they said to have abused the defacto complainant by using filthy language and also criminally intimidated her. Hence, the present complaint.

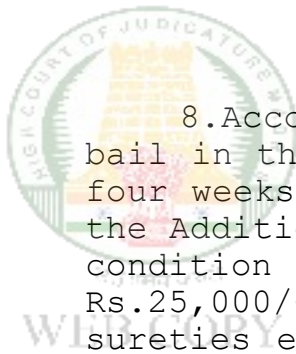
3. Heard the learned counsel appearing for the petitioners and the Intervener/defacto complainant and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned counsel appearing for the petitioners submitted that the petitioners are in-laws of the defacto complainant and they have been falsely implicated in this case. He further submitted that even as per the allegation, the main allegation is only against A1. He further submitted that earlier the father of the defacto complainant has given a complaint before the Deputy Commissioner of Police, Madurai City, the same was closed. He further submitted that in order to harass the petitioners, the present complaint has been filed. Hence, they seek anticipatory bail.

5. The learned counsel appearing for the intervener/defacto complainant submitted that immediately after the marriage, A1 has demanded a car and house at Chennai and the petitioners are in-laws of the defacto complainant and they have harassed the defacto complainant by demanding dowry and also criminally intimidated her. He further submitted that earlier the father of the defacto complainant has filed a complaint before the Deputy Commissioner of Police, Madurai City and the same was referred to the respondent police. Now the present complaint was registered and the respondent police enquired the matter. It reveals that the petitioners have demanded dowry. Hence, he opposed this petition.

6. The learned Government Advocate (Crl. Side), appearing for the respondent police submitted that the petitioners are in-laws of the defacto complainant and they have demanded dowry from the defacto complainant and also criminally intimidated her. Hence, the crime has been registered.

7. Considering the facts and circumstances of the case and also considering the rival submissions on either side and on perusal of the materials available on records, it is seen that the main allegation is only against A1 that he demanded seven seater car and a house at Chennai from the defacto complainant and harassed her. It is also seen that the allegation against the petitioners is that they said to have demanded dowry and also criminally intimidated her. That apart, there is no serious allegation against the petitioners. Considering the above circumstances, I am inclined to grant anticipatory bail to the petitioners with certain conditions.



8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the Additional Mahila Court (Judicial Magistrate Level), Madurai, 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;

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

sd/-

24/09/2020

/ TRUE COPY /

/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE ADDITIONAL MAHILA JUDGE,
(JUDICIAL MAGISTRATE LEVEL), MADURAI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,

<https://hcserv.madbarajudicialservices.in>



3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUPPARANKUNDRAM, MADUARI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.7521 of 2020

Date :24/09/2020

vsg

AE/AKM/SAR-III (28.09.2020) 4P 5C