



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2020

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PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD).No.8445 of 2020

1.KARTHICK
2.UMA DEVI
3.SATHISH KUMAR
4.JOTHI

... PETITIONERS/ACCUSED RANK NOT KNOWN

VS

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI CITY.
CRIME NO.15 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioners: Mr.A.Uthayakumar,
Advocate.

For Respondent : M/s.S.E.Veronica Vincent,
Government Advocate (Crl.Side)

For Intervenor : Mr.S.Poornachandran, Advocate

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

PRAYER :-

to Anticipatory Bail in Crime No. 15 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as accused, apprehending arrest at the hands of the respondent police for the offences punishable under sections 498(A), 406, 417 IPC and Section 4 of Dowry Prohibition Act, in Crime No.15 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage was solemnized between the first petitioner and the defacto complainant on 26.02.2020. Thereafter, the petitioners demanded dowry and harassed the defacto complainant then the defacto complainant left her matrimonial house. Hence, the the complaint.



3. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent and the learned counsel appearing for the intervener.

4. The learned counsel appearing for the petitioners submitted that now the matter has been settled between the parties and hence, he prayed for grant of anticipatory bail to the petitioners.

5. Mr. S. Poornachandran, learned counsel appearing for the intervener/defacto complainant has admitted the submission made by the learned counsel appearing for the petitioners and stated that the matter has been settled between the parties amicably also filed a mutual divorce.

6. Considering the fact that it is a matrimonial dispute between the parties and the matter has been settled between the parties amicably, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 learned Mahila Court, 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



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

sd/-
25/09/2020

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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 JUDGE,
MAHILA COURT, MADURAI.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI CITY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8445 of 2020
Date :25/09/2020

vsd
JM/PN/SAR IV/29.09.2020/3P/4C