



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

Date : 22/12/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD).No.15401 of 2020

WEB COPY

1.Ramesh

2.Arivukodi

3.Sheela

4.Suresh

5.Aruldoss

... Petitioners/Accused Nos.1 to 5

Vs

The Inspector of Police,  
All Women Police Station,  
Thallakulam,  
Madurai.

Cr.No.63 of 2020.

... Respondent/Complainant

For Petitioner : M/s.Narayanan.R,  
Advocate.

For Respondent : Ms.M.Ananthadevi,  
Government Advocate (Crl.Side)

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

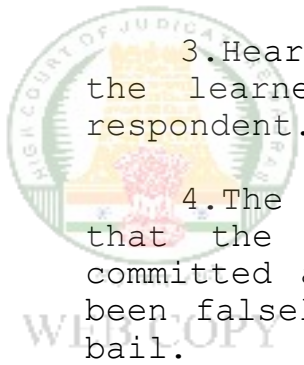
PRAYER :-

For Anticipatory Bail in Crime No.63 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 to A5, apprehending arrest at the hands of the respondent police for the offence punishable under sections 498(A), 417, 294(b), 406 and 506(1) IPC, in Crime No.63 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant and the first petitioner was solemnized on 22.05.2020. After marriage, the petitioners are harassing the defacto complainant and abused her and also assaulted her. Due to such harassment, the defacto complainant went to her parental home. Hence, the case has been registered.



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

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (Crl. Side), on instructions, submitted that due to matrimonial dispute, all the accused persons harassed the defacto complainant and abused her and also assaulted her. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

7. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

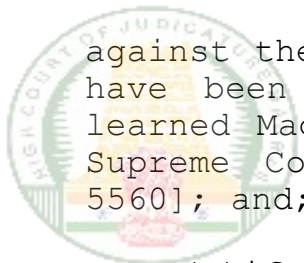
(a) the first petitioner and the defacto complainant are directed to appear before the District Mediation and Conciliation Centre, Madurai on 04.01.2021. If the first petitioner fails to appear before the District Mediation and Conciliation Centre, Madurai, on the said date, the anticipatory bail granted to the first petitioner shall stand automatically cancelled;

(b) 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;

(c) the first petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and the petitioner Nos.2, 3, 4 and 5 shall report before the respondent police as and when required;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



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;

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

Sd/-  
22/12/2020

/ TRUE COPY /

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

vsd

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 Judicial Magistrate, Madurai.
- 2.-do-Thro' The Chief Judicial Magistrate, Madurai.
- 3.The Inspector of Police,  
All Women Police Station,  
Thallakulam, Madurai.
4. The District Mediation and Conciliation Centre,  
District Court, Madurai.
- 5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.R.Narayanan, Advocate, SR.No.8440.

ORDER  
IN  
CRL OP(MD) No.15401 of 2020  
Date : 22/12/2020

CS/SKN/SAR-II(29.12.2020) 3P 7C