



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/02/2020
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.18426 of 2019

WEB COPY

1. Azarudeen
2. Ismail
3. Pyrosa
4. Jamine

... Petitioners/Accused No.1 to 4

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Manapparai, Trichy District,
Cr.No.9 of 2019.

... Respondent/Complainant

A.Sherin Alima ... Petitioner/Intervener/Defacto-Complainant
in CRL MP(MD)No.11436/2019
in CRL OP(MD)No.18426/2019

For Petitioners : M/s. Ajmal Associates, Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)
For Intervener : Mr.T.K.Gopalan

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

PRAYER :-

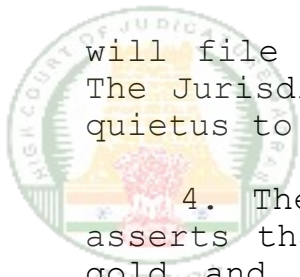
For Anticipatory Bail in Crime No.9 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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

2. The petitioners apprehending arrest at the hands of the respondent police for the offences under sections 498(A) and 294(b) of I.P.C. and Section 4 of Dowry Prohibition Act, in Crime No.9 of 2020 on the file of the respondent police, seek anticipatory bail.

3. This Court had conversation with the victim. The petitioners agreed to take a demand draft for a sum of Rs.4,00,000/- favouring the victim and the same will be handed over to the victim on or before 30.03.2020. The petitioners will arrange to return the household articles to the victim. The respondent is directed to facilitate the said process. On such payment by the petitioners and the return of the household articles to the victim, the respondent



will file the final report dropping further action in the matter. The Jurisdictional Magistrate will accept the final report and give quietus to the issue.

4. The learned counsel appearing for the intervener strongly asserts that the petitioners are in possession of 16 sovereigns of gold and that they also should be returned. The petitioners' counsel however denies the said allegation. Therefore, the defacto complainant is at liberty to pursue her remedy under the Protection of Women from Domestic Violence Act. The same will be dealt with independently on its own merits.

5. The payment of Rs.4,00,000/- is for the purpose of obtaining a closure to the criminal prosecution. Since the petitioners have agreed to be put on terms and since this Court has given a direction for closing the case, the petitioners' apprehension of arrest is no longer justified. In the event of default on the part of the petitioners herein, the order now passed will stand automatically recalled.

6. This criminal original petition is disposed of on these terms.

sd/-
17/02/2020

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

TO

1. The Judicial Magistrate, Manapparai.
2. Do-Through The Chief Judicial Magistrate, Trichy District.
3. The Inspector of Police,
All Women Police Station, Manapparai,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-3370[I]
+1 CC to M/s.T.K.GOPALAN, Advocate (SR-3486[I]

ORDER
IN
CRL OP(MD) No.18426 of 2019
Date :17/02/2020