



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

Date : 11/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.694 of 2021

1. Dheenadayalan
2. Sankarraaj
3. Jayalakshmi
4. Meenaloshani

... Petitioners/Accused Nos.1-4

Vs

The State rep.by
The Sub-Inspector of Police,
All Women Police Station, Sattur,
Virudhunagar District.
(Crime No.01/2021).

... Respondent/Complainant

For Petitioners : Mr.M.Solaisamy,
Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.01/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused 1 to 4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Woman from Harassment Act, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the first petitioner got married. From the date of marriage, the first petitioner demanded dowry from the defacto complainant and threatened her with dire consequences. Hence the complaint.

3.It is also seen that the defacto complainant lodged a complaint before the Social Welfare Officer, Virudhunagar. The petitioners and the defacto complainant appeared before the Social



Welfare Officer and given statement. In the result, it was found that the petitioners did not demand any dowry from the defacto complainant and the defacto complainant herself admitted that she had handed over her jewels to her father.

4. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. He further state that the first petitioner due to employment he is in Chennai and other petitioners are in-laws of the defacto complainant.

5. The learned Government Advocate(Crl.Side) would submit that since the matter in issue involved family dispute, both parties are directed to appear before the Mediation and Conciliation Center, attached to this Bench. Both parties were appeared on 05.03.2021 before the Mediation Center. But, there was no settlement.

6. Taking into consideration the facts and circumstances of the case, this Court is 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate NO.I, Sattur 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 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 petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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

sd/-
11/03/2021

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/ /2021

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 JUDICIAL MAGISTRATE NO.I, SATTUR.
- 2.-DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3.THE SUB-INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.694 of 2021
Date :11/03/2021

rmk
AE/SMA/SAR-II (18/03/2021) 3P / 5C