



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03.08.2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.2191 of 2021

1.V.Raghavan
2.Pankajavalli

... Petitioners/Accused 1

Vs

The State rep.by
The Inspector of Police,
All Women Police Station(AWPS),
Srirangam,
Tiruchirappalli District.
In Crime No.1 of 2021.

... Respondent/Complainant

For Petitioners: Mr.S.Manikandan,
Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate(Crl. side)

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

PRAYER :-For Anticipatory Bail in Crime no.1 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498A and 406 of IPC in Crime No.1 of 2021, seek anticipatory bail.

2. The first petitioner is working as a Software Engineer. The first petitioner is the husband and second petitioner is the mother-in-law of the defacto complainant. The defacto complainant lodged a complaint alleging that the petitioners are harassing her for want of dowry.

3. The learned counsel for the petitioners submitted that the marriage between the first petitioner and the defacto complainant is an arranged marriage and it was solemnized on 25.10.2015 at Srirangam. Subsequent to the marriage, the first petitioner and the defacto complainant were living together at Bangalore, where the first petitioner is working. According to the learned counsel for the petitioners, the defacto complainant is having OCD, ~~https://hcservicescourts.gov.in/hcservices/~~ disorder problem and also vertigo problem and she is



taking treatment for the same. When there was a party at their house on 31.12.2020, there was a dispute between the first petitioner and the defacto complainant due to certain remarks made by the first petitioner's friend and therefore, the defacto complainant left the matrimonial home. The learned counsel for the petitioners also relied on certain letters said to have been written by the defacto complainant in support of his contention that the defacto complainant is having some ailments. In the letter dated 31.12.2020, the defacto complainant referred her mother-in-law as sweet lady. He also submitted that the defacto complainant had filed a petition under the Domestic Violence Act and the same is pending.

4. This Court by earlier order dated 16.02.2021, referred the matter to the Mediation Centre and it appears that no agreement was reached before the Mediation Centre.

5. The learned Government Advocate (Criminal Side), on instructions, would submit that the matter is now pending before the Social Welfare Officer.

6. Considering the nature of offence and the fact that it is a matrimonial dispute, this Court is inclined to grant Anticipatory Bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Tiruchirappalli 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 learned Magistrate concerned and on further conditions 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 respondent police as and when required, until further orders.

[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].

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
03/08/2021

/ TRUE COPY /

/ /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,
TIRUCHIRAPPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUCHIRAPPALLI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION(AWPS),
SRIRANGAM,
TIRUCHIRAPPALLI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.R.SUNDAR SRINIVASAN, Advocate(SR-5057[I] dated 04/08/2021)

ORDER
IN
CRL OP(MD) No.2191 of 2021
Date :03/08/2021

MBI
MK/VR/SAR-I/06.08.2021/3P/6C