



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

Date : 29/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.3225 of 2021

1.N.Ananthan

2.Natarajan

3.Rajakumari

4.S.Priya

... Petitioners/Accused
Nos.1 to 4

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Sri Rangam,
Tiruchirappalli District.
Crime No.05 of 2021.

... Respondent/Complainant

For Petitioners : Mr.Mohanasundaram.R,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

For Intervenor : Mr.J.Anandkumar,Advocate

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

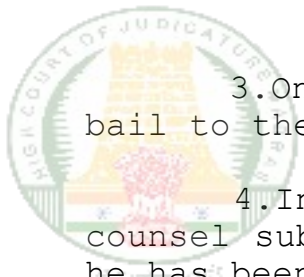
PRAYER :-

For Anticipatory Bail in Crime No.05 of 2021 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
498(A), 323 and 506(ii) of IPC, in Crime No.05 of 2021, seeks
anticipatory bail.

2.The case of the prosecution is that the first petitioner
and the defacto complainant got married in the year 2014 and out of
wedlock, they blessed with two children. However, the first
petitioner and his parents have demanded more dowry from the defacto
complainant and tortured her. Hence, the complaint.



3. On 16.03.2021, this Court had already granted anticipatory bail to the petitioners 2 to 4.

4. Insofar as the first petitioner is concerned, the learned counsel submits that the first petitioner is an innocent person and he has been falsely implicated in this case.

WEB COPY

5. Since it is a matrimonial dispute, this Court, by order dated 11.08.2021, referred the matter to the Social Welfare Committee to conduct enquiry and file a report. Pending the enquiry before the Social Welfare Committee, the first petitioner has filed an undertaking affidavit before this Court that he would pay a sum of Rs.15,000/- as monthly maintenance to his wife and children, without prejudice to his defence before the trial Court.

6. Considering the facts and circumstances of the case, the nature of allegations levelled against the first petitioner, his willingness to pay a sum of Rs.15,000/- as monthly maintenance to his wife and children, this Court is inclined to grant anticipatory bail to the first petitioner.

7. Accordingly, this criminal original petition is allowed and the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sri Rangam, on condition that the first petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the first petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the first petitioner shall report before respondent police as and when required for interrogation.

[c] the first petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the first petitioner 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 petitioner 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 Court in **P. K. Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.



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

sd/-
29/10/2021

WEB COPY

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

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
SRI RANGAM, TRICHY DISTRICT.
- 2.DO THROUGH -THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRI RANGAM,
TIRUCHIRAPPALLI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Copy to

THE OFFICE INCHARGE,
SOCIAL WELFARE COMMITTEE, TRICHY DISTRICT.

ORDER
IN
CRL OP(MD) No.3225 of 2021
Date :29/10/2021