



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

Date : 05/05/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.6392 of 2021

1. Cyril Britto
2. Mary @ Gloria Rani
3. Pappuraj
4. Divya Jacqueline

.. Petitioners/ Accused 1 to 4

Vs

State Rep.by
The Inspector of Police,
Vadamadurai All Women Police Station,
Dindigul District.
Crime No.3/2021.

.. Respondent/Complainant

For Petitioners : Mr.Lakshmi Gopinathan, Advocate for
M/s Polax Legal Solutions,

For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

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

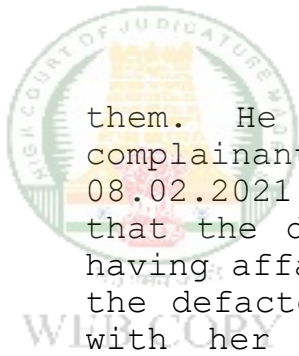
PRAYER :- For Anticipatory Bail in Crime No.3 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under sections 498(A), 294(b) of IPC and Section 4 of Dowry Prohibition Act and 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.3 of 2021 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the first petitioner/A-1 is husband of the defacto complainant. The first petitioner/A-1 had demanded more dowry from the defacto complainant and harassed her and also attacked her. Hence the complaint.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent and a false case has been foisted against



them. He further submitted that the 1st petitioner and the defacto complainant got married and entered a marriage agreement on 08.02.2021 and after marriage the 1st petitioner/A-1 came to know that the defacto complainant was nine months pregnant and she was having affair with one Sivakumar and the same was questioned by A-1, the defacto complainant left from the matrimonial home and residing with her parents. He further submitted that the 2nd and 3rd petitioners are parents and the 4th petitioner is sister of the 1st petitioner. He further submitted that the petitioners have nothing to do with the offence as alleged by the prosecution.

4. The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that matrimonial dispute is pending between the 1st petitioner and the defacto complainant.

5. Taking into consideration all the facts and circumstances of the case and also taking note of the fact that all the allegations raised by the defacto complainant are against the 1st petitioner only and matrimonial dispute is pending between them, this Court is not inclined to grant anticipatory bail to the 1st petitioner. The petitioners-2 to 4 herein are concerned they are only parents and sister of the 1st petitioner/A-1, this Court is inclined to grant anticipatory bail to the petitioners-2 to 4 with certain conditions.

6. Accordingly, the petitioners-2 to 4 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, Vedasanthur on condition that the petitioners-2 to 4 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 1st petitioner and the defacto complainant are directed to appear before the Mediation Centre attached to this Bench. The respondent police is directed not to arrest the 1st petitioner till the conclusion of mediation proceedings;

(b) the petitioners-2 to 4 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 petitioners-2 to 4 shall report before respondent police on every Monday 10.30 am., until further orders;

(d) the petitioners-2 to 4 shall not tamper with evidence or witness either during investigation or trial;



(e) the petitioners-2 to 4 shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners-2 to 4 in accordance with law as if the conditions have been imposed and the petitioners-2 to 4 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

05/05/2021

/ 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, VEDASANTHUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
VADAMADURAI ALL WOMEN POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO: THE CO-ORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to M/s. POLEX LEGAL SOLUTIONS, Advocate (SR-3647[I] dated 06/05/2021)

ORDER IN

CRL OP(MD) No.6392 of 2021

Date : 05/05/2021

KSA

<https://hcservices.gov.in/hcservices> MS/EN/6392 of 2021/3P.7C