



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

Date : 17/06/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.6384 of 2021

1. Gurusamy
2. Manimegalai
3. Palanisamy
4. Saravanan
5. Marimuthu

... Petitioners/Accused Nos.1 to 5

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai District.
(Crime No.8/2021).

... Respondent/Complainant

For Petitioners : Mr.B.SenthilKumar,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.8/2021 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 498(A), 294(b), 506(i) IPC and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, in Crime No.8 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant and A1 had taken place on 08.09.2019. At the time of marriage, the defacto complainant provided 25 sovereigns of gold and srithana articles worth about Rs.3 Lakhs. A1 is working in Tamil Nadu Police Department. After marriage, the defacto complainant lived with A1 and his family members. On 03.10.2019, the father of the defacto complainant died. Thereafter, the accused demanded 20 sovereigns of gold and Rs.5 Lakhs from the defacto



complainant's mother. When the defacto complainant expressed her inability, they abused her in filthy language and made harassment. Hence, the complaint.

3.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioners submitted that the dispute between the defacto complainant and A1 was settled and they decided to file a petition for divorce on mutual consent in HMOP.No.88 of 2021 on the file of the Sub Court, Thirumangalam and terms of settlement was also reached between them. He produced copy of the settlement deed. He further submitted that the petitioners also filed a petition for quashing FIR and the same to be numbered.

4.Taking note of all these factors, this Court is inclined to grant anticipatory bail to the petitioners.

5.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 learned Judicial Magistrate, Thirumangalam on condition that the petitioner 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 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 respondent police daily at 10.30 am., 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/-

17/06/2021

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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, THIRUMANGALAM.
- 2.-DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6384 of 2021
Date :17/06/2021

GNS
AE/JC/SAR-III/23.06.2021/3P/5C