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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.9553 of 2021

1. Thangapandi
2. Murugesan
3. Saradha
4. Ponnammal
5. Veerasangan
6. Chitra
7. Arumugam

... Petitioners

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Manapparai,
Tiruchirappalli District.
(In Crime No.Not Known of 2021).

... Respondent

For Petitioners : M/s.Madasamy.T.M, Advocate.

For Respondent : M/s.T.Senthilkumar,
Government Advocate (Crl.Side)

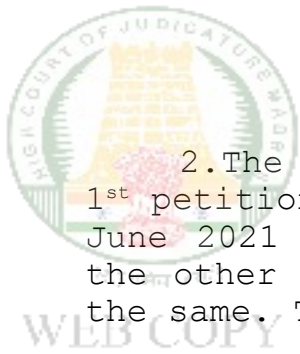
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.Not Known 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 offence punishable under Sections
498(A) and 506(ii) of IPC, in Crime No.not known of 2021, seek
anticipatory bail.



2.The case of the prosecution is that the marriage between the 1st petitioner and the defacto complainant took place in the month of June 2021 and thereafter, the 1st petitioner at the instigation of the other petitioners had demanded dowry and also harassed her for the same. Therefore, the present case came to be registered.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners have not demanded any money from the de-facto complainant at any point of time. He further submitted that the first petitioner is the husband of the defacto complainant and others are her in laws.

4.Heard Mr.T.Senthil Kumar, the learned Government Advocate (Crl.side) appearing for the respondent police.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and 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, Manapparai, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten 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 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police as and when required.

[c]the petitioners shall not tamper with the 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.

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Sd/-
03/09/2021

/ TRUE COPY /

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

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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,
MANAPPARAI.
2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAPPARAI,
TIRUCHIRAPPALLI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9553 of 2021
Date :03/09/2021