



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.10.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.9943 of 2021

1.J.Balaji

2.Jagadeesan

3.Jothi

4.Karthikeyan ... Petitioners/Accused Nos.1 to 4

Vs

State Rep by
The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai City.
(Crime No.31/2021) ... Respondent/Complainant

For Petitioners : Mr.A.Balaji

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

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

PRAYER :-

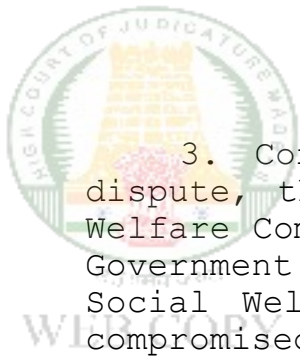
For Anticipatory Bail in Crime No.31 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :

The petitioners, apprehending arrest at the hands of the respondent police for the offence under Sections 498A and 406 IPC, in Crime No.31 of 2021, seek anticipatory bail.

2. The prosecution case is that the first petitioner harassed his wife / defacto complainant and demanded dowry, at the instance of the other petitioners. Hence, the complaint.

<https://hcmvtsreports.gov.in/hcmvtservices>



3. Considering the nature of allegation, ie., a matrimonial dispute, this Court has referred the matter to the District Social Welfare Committee, through the respondent police. Today, the learned Government Advocate (Crl. Side), on instructions from the District Social Welfare Officer, Madurai, submitted that the parties have compromised the issue and that they have reunited.

4. In view of the aforesaid development, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this petition is allowed and the petitioners 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 Judge, Additional Mahila Court, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judge 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 learned Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before the respondent police as and when required for interrogation;

[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 Judge/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 have been released on bail by the learned Judge/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;

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

5. This Court places on record its appreciation to the Officer concerned of the Social Welfare Committee for the efforts made by her to settle the issue.

sd/-
04/10/2021

/ 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 Judge,
Additional Mahila Court,
Madurai.
- 2.The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai City.
- 3.The Social Welfare Committee,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL OP(MD)No.9943 of 2021
Date : 04.10.2021

TR/PN/SAR-IV(07.10.2021) 3P 5C