



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.11271 & 10603 of 2021

Prabhu ...Petitioner/Accused No.I
in Crl.O.P.(MD).No.11271 of 2021

1. Parameshwari

2. Anbalagan

3. Karunakaran ...Petitioners/Accused Nos.2 to 4
in Crl.O.P.(MD).No.10603 of 2021

Priya ... Intervene Petitioner
in CRL MP(MD).6287 of 2021
in Crl.O.P.(MD).No.11271 of 2021

Vs

The State through
The Inspector of Police,
All Women Police Station,
Musiri, Trichy District.
(Crime No.16 of 2021) ...Respondent/Complainant
in both petitions

For Petitioners : Mr.C.Senthil Murugan, Advocate.
(In Both Petitions)

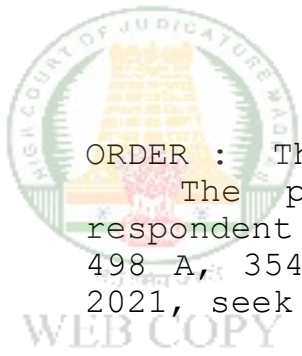
For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor(Crl.Side)

For Intervenor : Mr.R.K.Arunraj
(In Crl.O.P.(MD).No.11271 of 2021)

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

PRAYER :-

For Anticipatory Bail in Crime No.16 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 alleged offences punishable under Section 498 A, 354 A(1)(iv), 323, 294(b), 506(i) of IPC in Crime No.16 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the 1st accused and the defacto complainant took place in the year 2009 and thereafter, the 1st accused at the instigation of the other petitioners had demanded dowry from the defacto complainant and abused the defacto complainant in filthy language and also harassed her for the same. Hence the complaint was registered as against the petitioners.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the investigation is yet to be completed.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, these criminal original petitions are 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, Thuraiyur, on condition that the 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 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 daily at 10.30 a.m., and 05.30 p.m., until further orders.

[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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
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, Thuraiyur.
2. Do Through The Chief Judicial Magistrate,
Trichy.
3. The Inspector of Police,
All Women Police Station,
Musiri,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) . Nos.11271 & 10603 of 2021
Date : 20/09/2021

TR/SKN/SAR-I(02.11.2021) 3P 5C