



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.10.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.12259 of 2021

1.Saravanakumar

2.Arumugam

3.Lakshmi @ Manthira Lakshmi

4.Ashok Kumar

... Petitioner/Accused 1 to 4

Vs

State represented by

The Inspector of Police,

All Women Police Station,

Rajapalayam.

Virudhunagar District.

[Cr.No.13 of 2021]

... Respondent/Complainant

For Petitioner : Mr.S.Poorna Jeyachandran.S, Advocate

For Respondent : Mr.T.Senthilkumar,

Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.13 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 498(A), 294(b), 323 and 506 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.13 of 2021, seek anticipatory bail.

2.The prosecution case is that the first petitioner harassed his wife / defacto complainant and demanded dowry, along with other services from her. Hence, the complaint.



3.Considering the nature of allegation, ie., 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) based on the report of the District Social Welfare Officer, Virudhunagar, submitted that the parties are not willing for reunion.

4.Since the defacto complainant is not willing to reunite with the first petitioner, 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, Srivilliputhur, 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 first petitioner shall report before the respondent police on every Monday at 10.30am until further orders and the other 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.

sd/-
05/10/2021

/ TRUE COPY /

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



dsk

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,
Srivilliputhur.
- 2.The Inspector of Police,
All Women Police Station,
Rajapalayam.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD)No.12259 of 2021
Date : 05.10.2021

TR/SKN/SAR-II(08.10.2021) 3P 4C