



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

Date : 21/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD) . No.12997 of 2021

WEB COPY

M.Kanagamisam

... Petitioner / Accused No.3

Vs

State Rep. by
The Inspector of Police,
All Women Police Station,
Keeranur,
Pudukkottai District.
Crime No.12 of 2021

... Respondent / Complainant

For Petitioner : Mr.P.Banuprasath,
Advocate.

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.12 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A3, apprehending arrest for the offence under Sections 498(A) and 506(i) I.P.C, in Crime.No.12 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused and the defacto complainant are husband and wife. The marriage was solemnized between them on 20.06.2019. This petitioner is the sister of the first accused. The petitioner along with other accused harassed the defacto complainant and demanded more dowry. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is separately living with her husband at Illayankudi, Sivagangai District and she has not harassed the defacto complainant as alleged in the F.I.R. He would further submit that the petitioner is an innocent and she has been falsely implicated in this case. Hence, he seeks for grant of anticipatory bail.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the co-accused has been granted



anticipatory bail by this Court. He would further submit that the investigation is yet to be completed.

5. Taking into consideration of the facts and circumstances of the case, the nature of allegation levelled as against the petitioner and the fact that the co-accused has been granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Keeranur, Pudukkottai District 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

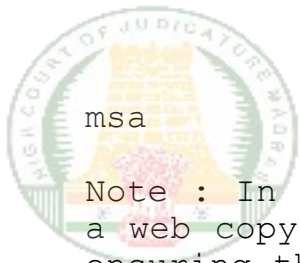
[d] the petitioner shall not abscond either during investigation or trial.

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

sd/-
21/09/2021

/ TRUE COPY /



msa

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

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-6468[I] dated 22/09/2021)

ORDER IN
CRL OP(MD) No.12997 of 2021
Date :21/09/2021

SB/JC/SAR-II/06.10.2021/3P/6C