



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20.10.2021
PRESENT

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The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.13219 of 2021

1.Pandiammal
2.Jeyalakshmi
3.Vadivu
4.Velmurugan
5.Karuppasamy

... Petitioners 1 to 5 /
Accused No.2 to 6

Vs

State Rep. by
The Sub-Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.
(Crime No. 14 of 2021)

... Respondent /
Complainant

For Petitioners : Mr.A.Muruga Boopathi Maharaja
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.14 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 498A, 406, 294(b), 506(ii) IPC, in Crime No.14 of 2021, seek anticipatory bail.

<https://hcservices.courts.gov.in/hcservices/>
2. The defacto complainant and the first accused loved each other and got married on 22.03.2009. At the time of marriage, the defacto complainant's parents gave eight sovereigns of gold



ornaments, house hold articles and cash of Rs.40,000/-, as dowry. Alleging that the accused persons, after the marriage, started harassing the defacto complainant, she has lodged the present complaint.

3.Learned Counsel for the petitioners submitted that the marriage between the first accused and the defacto complainant is a love marriage. Due to some misunderstanding between the couples, a complaint has been lodged, in which, the petitioners, who are the in-laws, have also been roped-in. The petitioners neither played any role in the love marriage nor they are living along with the defacto complainant and the first accused. He further submitted that the first accused / husband has been arrested and prayed for grant of anticipatory bail to the petitioners.

4.Learned Additional Public Prosecutor admitted that the first accused has been arrested. He further submitted that the investigation is yet to be completed.

5.Considering the fact that it is a matrimonial dispute, the fact that it is a love marriage, the nature of allegation levelled against the petitioners, their status and the subsequent development of arrest of the first accused, 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, Vadipatti, 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 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 learned Magistrate 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 the 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 have been released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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

sd/-
20/10/2021

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/ TRUE COPY /

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

gk

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

+1 CC to M/s.A.MURUGABOOPATHI MAHARAJA, Advocate (SR-7254[I] dated 20/10/2021)

ORDER IN
CRL OP(MD) No.13219 of 2021
Date :20/10/2021

SB/SKN/SAR-III/26.10.2021/3P/6C