



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.13867 of 2021

Dhanalakshmi @ Dhanam

... Petitioner/Accused No.5

Vs

State Rep. By
The Inspector of Police,
All Women Police Station-Samayanallur,
Madurai District.
(Crime No.15 of 2021)

... Respondent/Complainant

For Petitioner : Mr.P.Manoharan
Advocate.

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.15 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A5 apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 406, 417, 498(A) and 506(1) IPC, in Crime No.15 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.One Latha, wife of Pandiselvam/A1, lodged a complaint as against the petitioner before the respondent police that she was subjected to cruelty by her husband and in-laws. Based on the complaint, a case has been registered.

3.The learned counsel for the petitioner submitted that the petitioner is the first accused's aunt's daughter and she has been ~~implicated~~ ^{implicated} in this case, though it has been reported that other accused have not condemned the activities of the first accused. Based on vague allegations, the petitioner has been



harassed by the respondent police. Hence, he prayed for grant of anticipatory bail.

4.The learned Additional Public Prosecutor for the respondent police strongly opposed this petition on the ground that A1 is attempting to marry another woman. The petitioner herein and other accused are facilitating the first accused in this regard. Therefore, she has been called for enquiry by the respondent police.

5.Considering the facts and circumstances of the case, the nature of allegation made against the petitioner and also the fact that the petitioner is only in-law of the de-facto complainant, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vadipatti, Madurai 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 Judge 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 learned Judge 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;

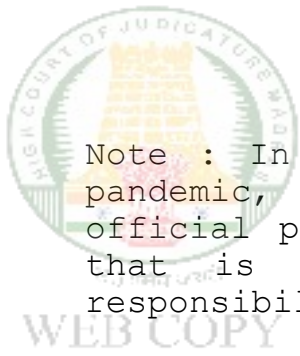
(d)the petitioner shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Judge/ 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 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/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
28/10/2021

/ TRUE COPY /



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,
VADIAPTTI, MADURAI.
- 2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3.THE 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.P.MANOKARAN, Advocate (SR-7650[I] dated 29/10/2021)
+1 CC to M/s.P.MANOKARAN, Advocate (SR-7739[I] dated 01/11/2021)

ORDER
IN
CRL OP(MD) No.13867 of 2021
Date :28/10/2021

SB/PN/SAR-IV/10.11.2021/3P/7C