



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/10/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14252 of 2021

CRL.M.P.(MD).No.7965 of 2021

1. Manokaran
2. Thenmozhi
3. Priyanka

... Petitioners/Accused 2 to 4

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City
(Crime No. 42/2021).

... Respondent/Complainant

For Petitioner : Mr.K.SUDHAKAR,
Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

For Intervenor : Mr.S.POORNACHANDRAN, Advocate

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

PRAYER :-

For an Anticipatory Bail in Crime No. 42 of 2021 on the file of the Respondent Police.

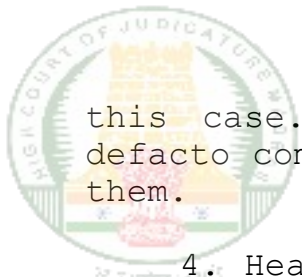
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498A and 406 of IPC, in Crime No.42 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first accused and the defacto complainant took place on 24.10.2019. After the marriage, the accused persons attacked the defacto complainant and abused her in filthy language. Therefore, the present case came to be registered.

3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in

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



this case. He further submitted that the first accused and the defacto complainant have arrived at some sort of settlements between them.

4. Heard the learned Additional Public Prosecutor appearing for the respondent police.

5. Considering the facts and circumstances of the case, the nature of allegations against the petitioners and that it is a family dispute, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Madurai, 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 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 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]***; and;

(f) if the accused/ petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

7. Connected miscellaneous petition is also closed.

sd/-

21/10/2021

/ TRUE COPY /

/ /2021

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



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 ADDITIONAL MAHILA JUDGE,
MADURAI.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI CITY
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.M.MARIAPPAN, Advocate SR.No.7319

ORDER

IN

CRL OP(MD) . No.14252 of 2021
CRL.M.P. (MD) .No.7965 of 2021
Date :21/10/2021

SA/JM/SAR.2/28.10.2021/3P/5C