



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.17212 of 2021

1. Thangasamy
2. D.Sarasam
3. D.Chellaswamy
4. D.Shamini
5. D.Rethinasamy
6. R.Athesh
7. P.Satheesh
8. P.Regu Raj ... Petitioners/Accused Nos.1 to 8

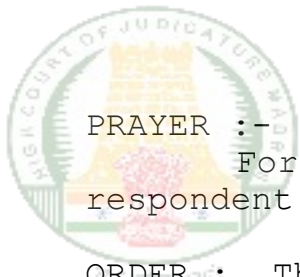
Vs

- 1.The State rep.by,
The Inspector of Police,
AWPS Police Station,
Kanyakumari District,
Kanyakumari.
(Cr.No. 51 of 2021).
2. Ajitha ... Respondent/Complainant

For Petitioners : M/s.Lajapathi Roy.T,
Advocate.

For R1 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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



PRAYER :-

For Anticipatory Bail in Cr.No.51/2021 on the file of the respondent police.

ORDER: The Court made the following order :-

WEB COPY

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 498A, 294(b), 324 of I.P.C., and Section 4 of Dowry Prohibition Act, 1961, in Crime No. 51 of 2021 on the file of the respondent police, seeks anticipatory bail.

3. The marriage between the first petitioner and the defacto complainant took place on 18.01.2021. The defacto complainant alleges that she was subjected to marital cruelty. She admits that she attempted to commit suicide on 18.09.2021 leading to her hospitalization. It is further alleged that on 23.09.2021, she was physically beaten up.

4. The learned counsel appearing for the petitioner, on instructions, states that the first petitioner would remit a sum of Rs.5,000 in the bank account of the defacto complainant on 15th of every month. If the defacto complainant's bank account details could not be obtained, the petitioner will remit the same to the account of Crime No.51 of 2021 registered on the file of the first respondent before the jurisdictional police station and that the first petitioner will not have any objection for the defacto complainant to withdraw the same without prejudice to her claims.

5. The case on hand is one of matrimonial dispute. The arrest of the petitioners is not going to serve any purpose. Hence, anticipatory bail is granted.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Padmanabapuram, Kanyakumari District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy

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



made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

08/11/2021

WEB COPY

/ TRUE COPY /

/ /2021

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

gbg/rmi

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 NO.II,
PADMANABAPURAM,
KANYAKUMARI DISTRICT.
- 2.DO THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
NAGERCOIL.
- 3.THE INSPECTOR OF POLICE
AWPS POLICE STATION, KANYAKUMARI DISTRICT,
KANYAKUMARI.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.T.LAJAPATHY ROY, Advocate (SR-7906[I] dated 09/11/2021)

ORDER

IN

CRL OP(MD) No.17212 of 2021

Date :08/11/2021

RK/TR/SAR-I (11/11/2021) 3P 6C