



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

Date : 08/11/2021

PRESENT

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

CRL OP(MD). No.17233 of 2021

WEB COPY

1.K.M.Arjun
2.K.M.Nithya
3.N.Praveen

... Petitioners/Accused Nos.1,2,4

Vs

State Rep.by
The Sub Inspector of Police,
All Women Police Station, Ponmalai,
Trichy, Trichy District.
(Cr.No. 10 of 2021).

... Respondent/Complainant

For Petitioners : M/s.Sundar.R,
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.10 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

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

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 498(A),
406, 354C, 294(b), 324, 506(ii) of I.P.C., in Crime No. 10 of 2021
on the file of the respondent police, seeks anticipatory bail.

3. The defacto complainant is none other than the wife of the
first petitioner. The marriage between the first petitioner and the
defacto complainant took place on 31.08.2020. The defacto
complainant has made certain serious allegations against her
brother-in-law who has been shown as A3. But the defacto
complainant's brother-in-law is a minor. The defacto complainant had
insisted that considering the conduct of her brother-in-law, it
would be conducive to the maintenance of the marital peace, if they
live separately. It is this that appears to have given rise to the
subsequent incidents. At this stage, this Court would not be
justified in undertaking a probe. The only question that calls for



determination is whether custodial interrogation of the petitioners is warranted.

4. At this stage, the learned counsel for the petitioners, on instructions, states that the first petitioner would remit a sum of Rs.7,500/- in the bank account of the defacto complainant. If the defacto complainant is not furnishing the bank account details, the petitioner shall deposit the said amount to the credit of Crime No.10 of 2021 registered on the file of the respondent police before the jurisdictional magistrate. The first petitioner will not have any objection for the defacto complainant to withdraw the said amount without prejudice to her claims. The undertaking given by the petitioner's counsel is recorded.

5. I am of the view that the arrest of the petitioners is not going to serve any purpose. Hence, anticipatory bail is granted. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Additional Mahila Court, Trichy, 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.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
08/11/2021

/ 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 Judicial Magistrate,
Additional Mahila Court,
Trichy.

2.Do Through The Chief Judicial Magistrate,
Trichy.

3.The Sub Inspector of Police,
All Women Police Station, Ponmalai,
Trichy, Trichy District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL OP(MD) No.17233 of 2021
Date : 08/11/2021

RS/TR/SAR2 (11.11.2021) 3P 5C