



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.20512 of 2021

Easwari

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Thilagar Thidal,
Madurai District.
(Crime NO.42/2021).

... Respondent/Complainant

For Petitioner : M/s.S.Ramasamy, Advocate.

For Respondent : M/s.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

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

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 and 506(i) IPC, in Crime No.42 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that there was dispute between the husband and wife, the accused persons, had demanded additional dowry from the *defacto* complainant and she was abused and threatened by them. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the third accused in the above said crime, the



petitioner is residing separately and working as Revenue Inspector and there was no contact with his brother and parents and not at all residing with the defacto complainant family. Hence, prays to release her on anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that even before the complaint, there was relationship between the first accused and the victim girl, she became pregnant and when that was brought to the notice of the parents, trouble arose between the parties and now the victim girl is residing with the first accused.

5. Reading of the FIR shows that there was trouble between the husband and wife and when the same was brought to the notice of in-laws, it appears that they did not consider and all of them jointly sent the defacto complainant out of her matrimonial home. It seems to be usual allegation made by wife against her in-laws. When the query was put to the learned counsel for the petitioner that whether she can advise the first accused to make compromise with the defacto complainant, for that, the learned counsel for the petitioner has replied that the petitioner was not in a position to contact his brother.

6. Considering the facts and circumstances of this case, the dispute between the parties, that the nature of allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, before the learned Judicial Magistrate, Additional Mahila Court, Madurai and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-

22/12/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.IV)
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, MADURAI,
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THILAGAR THIDAL,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20512 of 2021
Date :22/12/2021

SP/CN/SAR IV/29/12/2021/3P/5C