



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 29/12/2021  
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.20958 of 2021

Roja Banu

... Petitioner/Accused No.2

Vs

The State rep.by,  
The Inspector of Police,  
All Women Police Station,  
Thirupurankundram,  
Madurai.

Crime No.32 of 2021.

... Respondent/Complainant

For Petitioner : Mr.M.Shakul Hameed,  
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.32 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 and 506(ii) of IPC r/w Section 9(m)(n) and 10 of POCSO Act, 2012, in Crime No.32 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage was solemnized between the first accused and the defacto complainant. After few months of the marriage, the petitioner demanded dowry and harassed her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person, she has been falsely implicated in this case and she has not committed any offence as alleged by the prosecution.

4.Heard the learned Government Advocate (Crl.Side) appearing for the respondent.



5.Considering the facts and circumstances of the case, the fact that demand of dowry does not attract the POCSO Act and that other offences are bailable offences, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

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6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, before the learned Sessions Judge, Special Court for Exclusive Trial of POCSO Act Cases, 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 a.m., 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.

7.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/-

29/12/2021

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/ /2022

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 SESSIONS JUDGE,  
SPECIAL COURT FOR EXCLUSIVE TRIAL OF POCSO ACT CASES,  
MADURAI.
  - 2 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, THIRUPURANKUNDRAM, MADURAI.
  - 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2. CC to MR.M.SHAKUL HAMEED, Advocate SR.No.9821.

ORDER

IN

CRL OP(MD) No.20958 of 2021

Date :29/12/2021

ssb

MK/CN/SAR.III/03.01.2022/3P/6C

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