



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/01/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI

WEB COPY

CRL OP(MD). No.161 of 2022

1. Ashok @ Gnanaraj
2. Nirmalanesamani

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai.
Cr.No.34 of 2021.

... Respondent/Complainant

For Petitioners : M/s.VIKRAM.S, Advocate.

For Respondent : Mr.S.MANIKANDAN, Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.34 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the offences punishable under sections 498(A) of I.P.C., in Crime No.34 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case against the petitioners is that the petitioners and the defacto complainant belonged to different community and there is some family dispute between both parties. The first petitioner is the husband and the second petitioner is the mother-in-law.

3.On the side of the petitioner, it is stated that there is some family dispute. Already a similar complaint was filed by the defacto complainant before the All Women Police Station, Sankarankoil and the matter was compromised at that stage. Again the defacto complainant has filed this complaint. The first petitioner and the second petitioner are living separately. The petitioners are ready for compromise and prayed the petitioners to be released on anticipatory bail.

4.On the side of the respondent, it is stated that A1 is the husband. A2 is the mother-in-law. A1 married the defacto complainant. It is a love marriage. There is a demand of dowry. The A1 attacked the defacto complainant and that injured was discharged from the hospital.



5.Considering the submissions made by both the parties, this Court is inclined to grant anticipatory bail to the second petitioner alone with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed in respect of the second petitioner alone and the second petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judge, Additional Mahila Court, Magisterial Level, Madurai District, on condition that the second petitioner shall execute 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 second petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The second petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The second petitioner 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 stands dismissed.

8.Considering the overt act against the first petitioner, who is the prime accused, this Criminal Original Petition is dismissed in respect of the first petitioner.

sd/-

06/01/2022

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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 JUDGE
ADDITIONAL MAHILA COURT, MAGISTRATE LEVEL, MADURAI DISTRICT.
- 2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPPARANKUNDRAM, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.161 of 2022

Date :06/01/2022

MK/CN/SAR.2/10.01.2022/2P/5C

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