



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/04/2022
PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.814 of 2022

1. D.Godwin Deva Kumar
2. P.Devadhas
3. C.Rajam
4. D.Edwin Raja Kumar
5. D.Reena Kanaka Joy
6. D.Usha Prema Latha
7. Dr.D.Janzi Rejila ... Petitioners

Vs

The State Rep by
The Inspector of Police,
All Woman Police Station,
Marthandam,
Kanyakumari District. ... Respondent

Bebisha ... Petitioner/Intervenor
in CRL MP(MD) No.1279 of 2022

For Petitioners: Mr.Edwin Jeyakumar.N,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

For Intervenor : Mr.S.C.Herold Singh, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.Not known of 2022 on the file
of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Section
498(A) I.P.C. in Crime No.Not known of 2022 on the file of the
respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners/ husband
and the in-laws of the defacto complainant demanded more dowry from
the defacto complainant and they have harassed her. Hence the
complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there is a matrimonial dispute between the parties.

5. The learned counsel appearing for the defacto complainant would submit that the defacto complainant has also filed a suit before the concerned Court for recovery of articles and cash given at the time of marriage. Initially the enquiry was conducted by the respondent police and the same was closed and thereafter, as per direction given by the learned Judicial Magistrate under Section 156 (3) Cr.P.C. the present FIR came to be registered. Further the petitioners are in-laws of the defacto complainant.

6. The matter was already referred to the Mediation Centre on 01.02.2022. Even though the petitioners appeared before the Mediation, the defacto complainant is not willing to live with the first petitioner. During the course of investigation, the first petitioner/husband of the defacto complainant has given 56 sovereigns of gold jewels and Rs.9,00,000/- (Rupees Nine lakhs only). Since the defacto complainant is not willing to live with the first petitioner, no useful purpose would be served in keeping the matter pending. Hence, considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Kuzhithurai, Kanniyakumari District, on condition that the petitioners shall execute 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 the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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 stands dismissed.

sd/-
21/04/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MARTHANDAM,
KANYAKUMARI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-3749[I] dated
25/04/2022)

+1 CC to M/s.EDWIN JEYAKUMAR, Advocate (SR-3622[I] dated 21/04/2022
)

ORDER

IN

CRL OP(MD) No.814 of 2022

Date :21/04/2022

SS/SVR/SAR:II/19.05.2022 : 3P/7C