



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

Date : 28/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1489 of 2022

WEB COPY

1. Karthick
2. Padma
3. Pugalenth
4. Babu @ Esackiappan
5. Murali

... Petitioners/Accused 1,2,4 to 6

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station,
Lalgudi, Trichy District.
(Crime No.1/2022).

... Respondent/Complainant

For Petitioners: M/s. Lenin Kumar.T,
Advocate.

For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.1/2022 on the file of the respondent police.

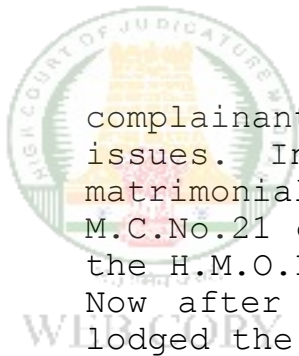
ORDER : The Court made the following order :-

The petitioners/Accused No.1, 2, 4 to 6, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 498(A) and 506(i) of IPC, in Crime No.1 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that from the petitioners harassed the defacto complainant demanding dowry and on 11.04.2020 the defacto complainant was sent out of the matrimonial home. Hence, the case has been registered.

3.On the side of the petitioners it is stated that the petitioners 1 and 2 are son and mother. The 3rd petitioner is the relative of the petitioners 1 and 2. The 4th and 5th petitioners are

<https://hcsrecs.courts.gov.in/hcsrecs/>



complainant was quarreling with the 1st petitioner even for trivial issues. In the month of April 2020, she voluntarily left the matrimonial home. She filed a petition in H.M.O.P.No.60 of 2020, M.C.No.21 of 2021 and D.V.C.No.8 of 2020 before the Court below. In the H.M.O.P. she was awarded Rs.5,000/- towards interim maintenance. Now after a lapse of two years from the date of separation, she lodged the present complaint by suppressing the above said petitions filed by her.

4.On the side of the respondent it is submitted that it is a matrimonial issue and the enquiry is pending before the Social Welfare Officer.

5.Considering the submissions made on either side and considering the fact that it is a matrimonial issue this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Lalgudi, 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. Since the matter is pending before the Social Welfare Officer, the petitioners shall also appear before the concerned Social Welfare Officer as and when required and to co-operate the police for investigation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
28/01/2022

/ TRUE COPY /

/ /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 JUDICIAL MAGISTRATE,
LALGUDI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INPSECTOR OF POLICE,
ALL WOMEN POLICE STATION,
LALGUDI, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE SOCIAL WELFARE OFFICER,
TRICHY DISTRICT.

ORDER
IN
CRL OP(MD) No.1489 of 2022
Date :28/01/2022

USK/JM/SAR-III/08.02.2022/3P/6C