



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/02/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.2333 of 2022

1. Murugan
2. Azhaguthai
3. Pon Ramar
4. Muthupandi
5. Sathya
6. Ilakkiya
7. Ranjitham
8. Sugapriya

... Petitioners/Accused No.2 TO 9

Vs

The state represented by
The Sub Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai District.
(Cr.No. 5/21).

... Respondent/Complainant

For Petitioners: M/s.Rajan.G.,
Advocate.

For Respondent : Mr.M.VAIKKAM KARUNANITHI,
Government Advocate (Crl.Side)

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

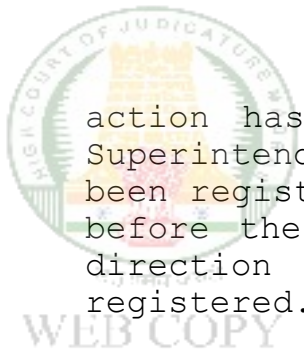
PRAYER :-

For Anticipatory bail in Crime No.5 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 to 9, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 109, 294(b), 323, 498-A, 506(i) IPC & Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.5 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused and the defacto complainant are husband and wife. They have a male child. All the petitioners harassed the defacto complainant by demanding more dowry. Further, the first accused had illegal intimacy with the eighth petitioner herein. Hence, the defacto complainant lodged a complaint before the respondent police. But, no



action has been taken. Then she sent a complaint to the Deputy Superintendent of Police, Thirumangalam Division. Since no case has been registered, she filed a complaint under Section 156(3) CR.P.C., before the learned Judicial Magistrate, Thirumangalam. As per the direction of the learned Magistrate, present case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the first accused was arrested and remanded to judicial custody and later, he released on bail by the learned Judicial Magistrate, Thirumangalam, in Crl.MP.No.44 of 2022 on 25.01.2022. He already filed a petition in H.M.O.P.No.78 of 2020 before the Sub-Court, uthamapalayam, seeking divorce and thereafter, it was transferred to Sub-Court, Thirumangalam, and the same is pending. The petitioners herein are only in-laws and others. Hence, he prays to grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a matrimonial dispute between the parties. A1 was arrested and released on bail by the learned Judicial Magistrate, Thirumangalam.

5. Considering the facts and circumstances of the case and also considering the fact that the first accused has been granting regular bail and limited role alleged to have played by these petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Uthamapalayam, 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.

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/-
04/02/2022

/ 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
UTHAMAPALAYAM.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 - 3 THE SUB INPSECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMANGALAM,
MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. RAJAN.G. Advocate SR.No.791

ORDER
IN
CRL OP(MD) No.2333 of 2022
Date :04/02/2022

SS/MS/SAR-II/11.02.2022 : 3P/6C