



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/03/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.4509 of 2022

1. Ramakrishnan
2. Subramanian
3. Annamayil

... Petitioners/Accused 1 to 3

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Usilampatti, Madurai District.
Crime No.22 of 2021.

... Respondent/Complainant

For Petitioners : Mr.S.Muthukumar, Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.22 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 406 and 506(1) IPC, in Crime No.22 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to matrimonial dispute between the first petitioner and the de-facto complainant, the petitioners said to have abused the de-facto complainant in filthy language and harassed her by demanding additional dowry. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have earlier filed a petition in Crl.M.P.No.6534 of 2021 and the learned Principal Sessions Judge, Madurai vide order dated 20.12.2021 has granted anticipatory bail by imposing certain conditions. He would further submit that since they were engaged in settlement talks, they could not furnish the sureties and that subsequently, they came to know that the respondent Police is going to file the charge sheet and hence, they seek anticipatory bail to file the above petition for anticipatory bail.



4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the investigation is completed and they are going to file charge sheet shortly.

5.Considering the facts and circumstances of the case and also the facts that the investigation has already been completed and that the petitioners have already been granted anticipatory bail by the learned Principal Sessions Judge, Madurai, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Vadipatti, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioners shall report before the respondent police as and when required for interrogation.

(c)the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f)if the accused/ petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/03/2022

/ 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 NO.I
VADIPATTI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, USILAMPATTI,
MADURAI DISTRICT.

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

+1 CC to MR.S.MUTHUKUMAR, Advocate (SR-2045[I] dated 15/03/2022)

ORDER
IN
CRL OP(MD) No.4509 of 2022
Date :15/03/2022

DAS
MK/VR/SAR.II/21.03.2022/3P/6C