



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

Date : 01/09/2022

PRESENT

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The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6872 & 6819 of 2022

1. Chinnappan
2. Catherinevairam
3. Pon Justin Dhiraviam
4. Pon Vinnarasi
5. Ponmalar

... Petitioners/Accused No.2 to 6
in Crl.O.P(MD) No.6872 of 2022

Vinnarasu

... Petitioner/Accused No.1
in Crl.O.P(MD) No.6819 of 2022

Vs

1. The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
(Cr.No.08/2022).

... Respondent/Complainant
in both petitions

2. Devakumari

... Petitioner/Intervener
in Crl.MP(MD) No.5096/2022
in Crl.OP(MD) No.6872/2022

(In both petitions)

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

For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

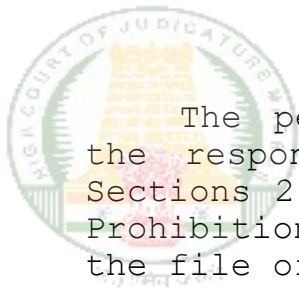
For Intervenor : Mr.M.Thirunavukkarasu
Advocate (In Crl.O.P(MD) No.6872/22)

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No. 08 of 2022 on the file of
the respondent Police.

COMMON ORDER : The Court made the following order :-



The petitioners/Accused, apprehending arrest at the of the respondent police for the alleged offence punishable under Sections 294(B), 323, 354, 498(A) of IPC and Section 3(1) of Dowry Prohibition Act and Section 4 of TNPHW Act in Crime No.8 of 2022 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that because of matrimonial issue between the defacto complainant and the first accused the complaint was given stating that she was missing. On the basis of the above said complaint case has been registered by Srivilliputhur Town Police station. Thereafter the defacto complainant was secured and during the course of enquiry she expressed her unwillingness to live with the first accused on the ground that she was left along with her children. When she was living alone with her children, the second accused picked up quarrel and abused her in filthy language and also assaulted her, hence she has lodged complaint before the All Women Police Station, Srivilliputhur, no action has been taken. With the above said allegation she filed a petition before the concerned jurisdictional magistrate under Section 156(3) of Cr.P.C and that was forwarded for appropriate action. Based on the above said complaint, the case has been registered.

3. The learned counsel appearing for the defacto complainant would submit that the defacto complainant is not willing to live with the first accused because of the trouble created by the first accused.

4. When the matter was taken up for hearing on 10.08.2022 the defacto complainant submitted that her certificates are in the custody of the first accused and he was also directed to hand over the same to the defacto complainant.

5. Today, when the matter is taken up for hearing, the counsel appearing on either side would submit that the certificates were handed over to the defacto complainant and she also received the same.

6. In view of the subsequent development made between the parties, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these Criminal Original Petitions are allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Additional Mahila Srivilliputhur, 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 on every Sunday 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.

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sd/-
01/09/2022

/ TRUE COPY /

/09/2022

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

TO

1. THE ADDITIONAL MAHILA JUDGE,
SRIVILLIPUTHUR.
2. THE INSPECTOR OF POLICE,
AWPS - SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.G.MARIAPPAN, Advocate (SR-9440 & 9441[I] dated
02/09/2022)

ORDER
IN
CRL OP(MD) . No.6872 &
6819 of 2022
Date :01/09/2022

aav
USK/VR/SAR-I/12.09.2022/3P/6C