



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/05/2022

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.9011 of 2022

1. Vimalkumar
2. Pandian
3. Subbulakshmi
4. Ishwaryia Lakshmi
5. Nagalakshmi

... Petitioners/Accused Nos.1 to 5

Vs.

State rep.by
The Inspector of Police,
All Women Police Station,
Madurai South.
(Crime No.21/2022).

... Respondent/Complainant

For Petitioners: M/s.Senguttuarasan P, Advocate.

For Respondent : K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

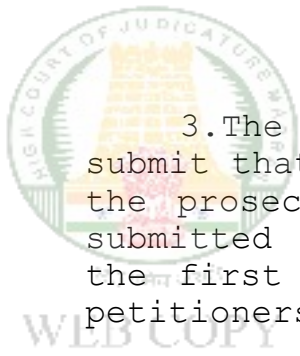
PRAYER :-

For Anticipatory Bail in Crime No.21/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 5 who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 498(A), 354(A), 406 and 506(i) of IPC in Cr.No.21 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the first petitioner and the defacto complainant are husband wife and their marriage was solemnized on 15.11.2015. The first petitioner along with other petitioner made dowry harassment against the defacto complainant. Hence the complaint.



3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they are innocent persons. He would further submitted that though there are some allegations levelled against the first petitioner, there are no allegations against the other petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the investigation is still pending.

5.Considering the facts and circumstances of the case and considering the allegations levelled against the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner and this criminal original petition is dismissed in respect of the first petitioner.

6.Since no serious allegations are made against the petitioners 2 to 5, this Court is inclined to grant anticipatory bail to the petitioners 2 to 5. Accordingly, the petitioners 2 to 5 are ordered to be released on bail in the event of arrest or on 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.IV, Madurai, on condition that the petitioners 2 to 5 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioners 2 to 5 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the second petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks, thereafter as and when required for interrogation and the petitioners 3 to 5 shall appear before the respondent police as and when required for interrogation.

(c)the petitioners 2 to 5 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 2 to 5 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 2 to 5 in accordance with law as if the conditions have been imposed and the petitioners 2 to 5 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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Sd/-

11/05/2022

/ TRUE COPY /

13/05/2022

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

TM/LM

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.IV,
MADURAI.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI SOUTH.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. SENGUTTUARASAN P Advocate SR.No.4569

ORDER

IN

CRL OP(MD) No.9011 of 2022

Date :11/05/2022