



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03.03.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.8486 of 2021

WEB COPY

Ananthamuruga

... Petitioner/Accused No.1

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Thiruverumbur, Trichy District.
(Crime No.8 of 2021)

... Respondent/Complainant

For Petitioner : Mr.C.Vakeeswaran,
Advocate.

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

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

PRAYER :-

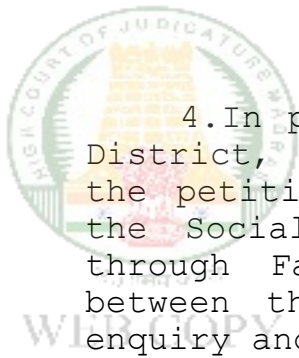
For Anticipatory Bail in Crime No.8 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 294(b), 354 and 506(2) IPC, in Crime No.8 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife and that the petitioner and his family members demanded dowry from the defacto complainant, abused her in filthy language and also attacked her by using wooden log and iron rod. Hence, the complaint.

3.When the matter was taken up for hearing on 11.08.2021, this Court, on considering the nature of the dispute and to find out the possibility of settlement between the parties, has referred the matter to the Social Welfare Officer attached to Trichy District and directed the defacto complainant and the petitioner to appear before the Social Welfare Officer attached to Trichy District and after enquiry, the Social Welfare Officer was directed to find out any possibility of arriving solution between the parties and file a report before this Court.



4. In pursuance of the same, the Social Welfare Officer, Trichy District, has submitted a report and wherein, she has stated that the petitioner as well as the defacto complainant appeared before the Social Welfare Officer and initially, counseling was given through Family Welfare Counsellor and there was no settlement between the parties and that thereafter, she has conducted the enquiry and came to know that there was no dowry harassment.

5. The learned counsel for the petitioner would submit that the accused 2 and 3, who are the parents of the first accused, were already granted anticipatory bail by this Court.

6. Considering the above facts and circumstances and also taking note of the Social Welfare Officer report, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate (Additional Mahila Court), Trichy, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

03/03/2022

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

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-1690[I] dated 03/03/2022)

ORDER
IN
CRL OP(MD) No.8486 of 2021
Date :03/03/2022

USK/PN/SAR-IV/09.03.2022/3P/6C