



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14/12/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.11264 of 2021

1. P.Yagappan
2. P.Anna Mary
3. G.Kilara Mary

... Petitioners/Accused
No.1 to 3

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Thiruverumpur,
Trichy.
(Crime No.16 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Jameel Arasu.B., Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

For Intervenor : No Appearance

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

PRAYER :- For Anticipatory bail in Crime No.16 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 offence under Sections 294(b), 498(A) and 506(I) IPC in Crime No.16 of 2021, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, Nansirani, is that the marriage between her and the first petitioner was solemnized on 15.12.2019 and during that time, 9 sovereigns of gold jewels and other sridhana articles were given as dowry. The further allegation is that the in-laws did not allow her to conduct first night and there was no consummation. The further allegation is that the mother and aunt of the first petitioner had demanded additional dowry of 4 sovereigns of gold jewels and Rs.50,000/- and



also threatened her stating that if she give the amount der by them, they will allow her to consummate the marriage. Hence, the case.

3.The learned counsel for the petitioners would submit that the case of matrimonial dispute has been exaggerated. He would further submit that the de-facto complainant is suffering from neuro problem and as per the Doctor's advise, she is not fit for married life and that when steps were being taken for dissolving the marriage on the grounds of non-consummation, a false complaint has been given as if the petitioners and their relatives have demanded additional dowry. He would further submit that earlier, the matter was referred to mediation twice and the petitioners had appeared before the mediation centre on all hearing dates, whereas, the de-facto complainant did not turn up for mediation. Hence, he prays to grant anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the matter has been referred to the District Social Welfare Officer and report is awaited. Hence, he opposed for grant of anticipatory bail to them.

5.Heard. Perused the materials available on record.

6.Taking into consideration the facts and the submissions, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

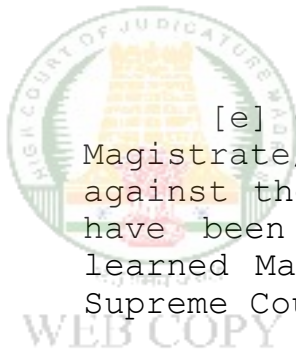
7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court Magistrate Level, Trichy, on condition that the petitioners shall execute 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 on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with 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]**.

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

Sd/-

14/12/2022

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/12/2022

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

SJI

TO

1. THE JUDGE, ADDITIONAL MAHILA COURT,
MAGISTRATE LEVEL, TRICHY.
 2. -DO- THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVERUMPUR, TRICHY CITY.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S. JAMEEL ARASU.B. Advocate SR.No.14888

ORDER

IN

CRL OP(MD) No.11264 of 2021

Date :14/12/2022

SA/MMS/SAR.1/29.12.2022/3P/6C