



WEB COPY

CRL OP(MD). N



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

Date : 27/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.13521 of 2022

A.Basteen Jerome

... Petitioner/1<sup>st</sup> Accused

Vs

The State rep.by,  
The Inspector of Police,  
All Women Police Station,  
Dindigul.

(Crime No.17/2022)

(u/s 494, 498(A), 323, 506(i) of IPC and  
section 4 of TNPHW Act, 2002)

... Respondent/Complainant

For Petitioner : Mr.M.Suresh,  
Advocate.

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

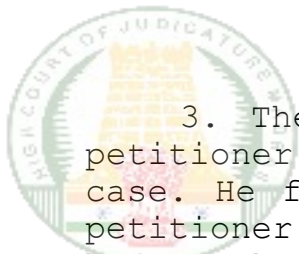
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory bail in Crime No.17/2022 on the file of  
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of  
the respondent police for the alleged offences punishable under  
Sections 494, 498(A), 323, 506(i) of IPC and section 4 of TNPHW Act,  
2002, in Crime No.17 of 2022 on the file of the respondent police,  
seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein  
preferred second marriage with the second accused with the help of  
the other accused persons. Hence, the present case came to be  
registered against the accused persons.



3. The learned counsel for the petitioner submitted the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner has filed a divorce petition against the defcto complainant in I.D.O.P.No.43 of 2022 before the Family Court, Dindigul and it is pending. The accused No. 3 & 4 were already released on bail by the learned Principal Session Judge, Dindigul. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Even though the allegation of second marriage and the harassment of demanding dowry and other things made by the petitioner, going by the previous history of dispute between the petitioner and the defacto complainant, it is seen that some thing went wrong in the matter alleged between the husband and wife. Over which, Crime No.76 of 2022 has been registered under Section POCSO Act, against the defacto complainant on the basis of the complaint given by the petitioner. Now, the investigation is completed and final report has also filed and it has been taken on cognizance in Spe.S.C.No.49 of 2022. It is also pending before the Mahila Court, Dindigul.

5. In view of the above said circumstance, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Additional Mahila (JM Court Level Court), Dindigul, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner 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.

sd/-

27/07/2022

/ TRUE COPY /

/08/2022

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



TO

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

ORDER  
IN  
CRL OP(MD) No.13521 of 2022  
Date :27/07/2022

DSS  
MK/SVR/SAR.III/03.08.2022/3P/5C