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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13811 of 2022

S.Muthu @ Muthukumar

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Virudhunagar.
(Crime No.15/2022).

... Respondent/Complainant

For Petitioner : Ms.Aravinthan.G, 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.15/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498A and 506(i) of IPC, in Crime No.15 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner/first accused and the defacto complainant was solemnized on 17.02.2019, as per the Hindu Rites and Customs. After marriage, the petitioners demanded more dowry from the defacto complainant and also harassed her. Therefore, a complaint has been registered against the accused persons. During the course of enquiry, the first accused given an undertaking that he will not make any trouble to the defacto complainant. Thereafter, the defacto



complainant went to her matrimonial home and in the month of November 2021, her father in law died. After the demise of her father-in-law, the first accused along with the petitioner planned to get all the properties from his mother. After knowing this by way of call recording, the defacto complainant lodged a complaint. The respondent police has not registered the case in time. Thereafter, the defacto complainant approached the learned Judicial Magistrate No.2, Virudhunagar and the learned Judicial Magistrate issued a direction to the respondent police to register the case. Now the present complaint has been registered.

3. Heard, the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

4. On perusal of CD file, it shows that the respondent received all the jewels and the household articles and to the effect, she also signed a letter dated 11.07.2022. But the present case has been registered only on 23.07.2022. It is also seen that no specific allegation has been made against the petitioner in the earlier complaint and the present complaint.

5. Considering the facts and circumstances of the case and the limited role that has been alleged by this petitioner, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.II, Virudhunagar, and on his executing 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 on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
01/08/2022

/ TRUE COPY /

/08/2022

Sub-Assistant Registrar (C.S.II)
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 NO.II,
VIRUDHUNAGAR.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to MS. ARAVINTHAN.G Advocate SR.No.8031

ORDER
IN
CRL OP(MD) No.13811 of 2022
Date :01/08/2022

SP/PN/SAR II/25/08/2022/3P/6C