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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.14216 of 2022

1. P.Vadivelmurugan
2. P.Rajeswari
3. Anandhi
4. Munisamy
5. Meenakshi

... Petitioners/Accused 1 to 5

Vs

1. State represented by
The Inspector of Police,
All Women Police Station,
Melur, Madurai.
(Crime No.22/2022)

... Respondent/Complainant

- (*) 2. Petchiyammal

... 2nd Respondent/Defacto
Complainant

- (*) (R2 is Suo Motu impleaded as per
order of this Hon'ble Court
dated 05.08.2022 in Cr1.O.P.(MD)
No.14216 of 2022)

For Petitioners: Mr.M.Prabhakaran for P1

M/s.D.Pameela for P2 to P5

For Respondents: Mr.M.Vaikkam Karunanithi,
Government Advocate(Crl.Side)forR1

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

PRAYER :-

For Anticipatory Bail in Crime No.22 of 2022 on the file of the
Respondent police.



ORDER : The Court made the following order :-

The petitioners/A1 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (B), 406, 506(I) and 498(A) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.22 of 2022, seek anticipatory bail.

2.When the matter is taken up for hearing, the learned counsel on either side would submit that in the mediation process, the matter was compromised between the parties and mediation report was also produced before this Court.

3.Considering the facts and circumstances of the case and also considering the fact that the matter was compromised between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, on condition that the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 daily at 10.30 am 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]**; and;



(f)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

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Sd/-
11/10/2022

/10/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. THE JUDICIAL MAGISTRATE,
MELUR.
2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MELUR, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.PRABHAKARAN, Advocate SR.No.11215

ORDER
IN
CRL OP(MD) No.14216 of 2022
Date :11/10/2022

SP/GB/SAR II/18/10/2022/3P/6C