



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

Date : 29.09.2022

PRESENT

WEB COPY

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD) . No.14737 of 2022

Nagaraj

... Petitioner/Accused No.1

Vs

1.State through  
The Inspector of Police,  
All Women Police Station,  
Manapparai,  
Trichy District.  
(Crime No.11 of 2021).

2.Geetha

... Respondents/Complainants

For Petitioner : Mr.S.Ramsundarvijayaraj,  
Advocate.

For Respondents: Mr.K.Sanjai Gandhi,  
Government Advocate(Crl.Side) for R1  
Mr.S.Malaikani for R2

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

PRAYER :-

For Anticipatory Bail in Crime No.11 of 2021 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioner/A.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 324 and 506(1) IPC, in Crime No.11 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute between the parties, the petitioner harassed the defacto complainant by demanding additional dowry. Hence, the complaint.

3. No doubt, the petitioner's earlier applications for anticipatory bail were dismissed by this Court in Crl.O.P.(MD) Nos.16720 of 2021 and 7803 of 2022 vide orders dated 23.03.2022 and 22.07.2022.



4. The learned counsel for the petitioner would submit the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

5. The learned counsel for the second respondent would submit that due to the attack, the defacto complainant has suffered head injuries.

6. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that investigation has already been completed and charge sheet has been filed before the Judicial Magistrate, Manapparai and the case is yet to be taken on file.

7. Considering the above facts and circumstances and also the facts that charge sheet has already been filed and that the petitioner is not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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, Manapparai, Trichy District, 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 learned Judicial Magistrate, Manapparai, Trichy District, at 10.30 a.m., on all working days until further orders.

[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/-  
29/09/2022

WEB COPY

/ TRUE COPY /

/10/2022

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

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate ( SR-10775[I] dated 29/09/2022 )

ORDER  
IN  
CRL OP(MD) No.14737 of 2022  
Date :29/09/2022

CSM  
USK/GB/SAR- /03.10.2022/3P/6C