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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/09/2022

PRESENT

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

CRL OP (MD) . No.16484 of 2022

1. Jemila Begam
2. Raja Mohamed
3. Asina Begam
4. Mathina Rani
5. Sharmila Banu

... Petitioners/Accused No.2 to 6

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukkottai District.
(Crime No.18 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Balakrishnan.R, Advocate.

For Respondent : Ms.M. Aasha
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.18 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 294(b), 323 and 506(i) IPC in Cr.No.18 of 2022, seek anticipatory bail.



2.The case of the prosecution is that the petitioners have harassed the defacto complainant by demanding additional dowry and also not allowed her for taking water from pipeline. Hence, the complaint.

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3. The learned counsel for the petitioners would submit the petitioners are innocent and their names have been falsely implicated in this case. He would further submit that A1 has already released on bail by the learned Judicial Magistrate, Aranthangi.

4.The learned Government Advocate(Crl.Side) would submit that it is a dispute between the family members and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that co-accused has already been released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners is ordered to be released on bail in the event of 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, Aranthangi 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**



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

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

TRP

TO

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

+1. CC to M/S.BALAKRISHNAN.R Advocate SR.No.10519

ORDER
IN
CRL OP(MD) No.16484 of 2022
Date :22/09/2022

SP/VRS/SAR II/28/09/2022/3P/6C