



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16.03.2022
PRESENT

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The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.17830 of 2021

1. Ravikannan
2. Nagalakshmi
3. Narmatha @ Narmathadevi
4. Aandal
5. Jeyaprakash @ Jeyaprakasan
6. Roopanbabu ... Petitioners/Accused 1 to 6

Vs

1. State represented by
The Inspector of Police,
Kandamanur Police Station,
Theni District.
(Crime No.177 of 2021) ...Respondent/Complainant
2. Ramalakshmi ...2nd Respondent
(R2 suo motu impleaded as per
order of this Court dated 06.12.2021
in Crl.O.P.(MD)No.17830 of 2021)

For Petitioners: Mr.C.Susikumar,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate(Crl.Side)for R1

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

PRAYER :-

For Anticipatory Bail in Crime No.177 of 2021 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), 176 and 506(1) IPC, in Crime No.177 of 2021, on the file of the respondent police, seek anticipatory bail.



2.The case of the prosecution is that the marriage between the defacto complainant and one Navaneethakrishnan was solemnized on 28.01.2018 and the petitioners 1 and 2 are the parents of the defacto complainant's husband and after marriage, the petitioners demanded dowry from the defacto complainant. When the defacto complainant went to her parental home for delivery, her husband committed suicide by hanging and the petitioners had refused the defacto complainant to see her husband and had cremated the body. Hence, the complaint.

3.Despite receipt of Court notice and also private notice, the second respondent has not turned up.

4.When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) would submit that since the defacto complainant has also attended the last rites of her husband, she was also implicated as an accused and that investigation has already been completed and they are going to file charge sheet shortly.

5.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

6.Considering the above facts and also the fact that the defacto complainant has raised for general and bald allegation against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aundipatti, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties each for a like sum 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners 1, 5 and 6 shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation and the petitioners 2, 3 and 4 shall report before the respondent police as and when required for interrogation.



[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

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[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]***.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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

CSM

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,
AUNDIPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KANDAMANUR POLICE STATION, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17830 of 2021

Date :16/03/2022