



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17866 of 2022

1. S.Cyril Raj
2. Jesinthamary Cyrilraj
3. Revathi Karuppasamy
4. Dilipkumar Marimuthu
5. Ramachandran @ Francis Xavier
6. Justin Thiraviam Rajendran
7. Vetharaj Rayappan ... Petitioners/Accused No not known

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai (Crime No. not known of 2022).

... Respondent/Complainant

For Petitioners : M/s. Murugan.M,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. Not known of 2022 on the
file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
498(A) and Section 4 of TNWHA Act, seek anticipatory bail.



2.The case of the prosecution is that the first accused and the defacto complainant are husband and wife. Right from the date of marriage, the first accused had demanded dowry at the instigation of the petitioners from the defacto complainant and abused her in filthy language and also harassed her for the same. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in-laws of the first accused, other than they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the investigation is going on.

5. Considering the facts and circumstances of the case and also considering the fact that it is a family dispute, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this criminal original petition is allowed and 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 Court, Vadipatty, 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 4, 5 and 6 shall appear before the respondent police on every Wednesday and Sunday at 10.30 a.m., till the first accused is secured by the respondent police.

(c)The second petitioner shall appear before the respondent police as and when required for interrogation.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

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

[g]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 Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

sd/-

06/10/2022

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/10/2022

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

TO

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

+1. CC to M/S. MURUGAN.M Advocate SR.No.11031

ORDER

IN

CRL OP(MD) No.17866 of 2022

Date :06/10/2022

SS/SVR/11/10/2022/ 3P 6C