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CRL OP(MD). N



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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.17782 of 2022

1. Vishanth

2. Thilagam

... Petitioners/Accused No.1 & 2

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Dindigul, Dindigul District.
Crime No. 23 of 2022.

... Respondent/Complainant

For PetitionerS : Mr.Suresh Kannan.C,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

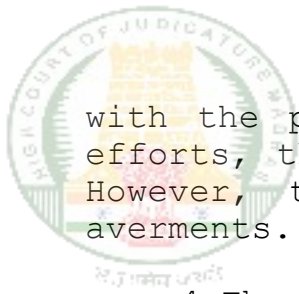
For Anticipatory Bail in Crime No. 23 of 2022 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offence punishable under Sections
498(A) and 506(i) of IPC and Section 4 of Dowry Prohibition Act, in
Crime No.23 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner
married the defacto complainant in the year 2018. They are living
at Chennai. On the instigation of the second petitioner, the first
petitioner demanded more dowry and harassed her. Hence, the
complaint.

3.The learned counsel for the petitioners submitted that the
complainant is not supporting the family and quarrelled



with the petitioners and left the matrimonial home. Due to their efforts, the petitioners could not be able to solve the disputes. However, the defacto complainant lodged a complaint with false averments.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the investigation is pending and mediation is also pending before the Sub Court, Poonamallee.

5. Considering the facts and circumstances of the case, 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 Additional Mahila Court, Dindigul District, 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 first petitioner shall report before the Inspector of Police, Town Police Station, Poonamallee respondent police on every Sunday for a period of three months and the second petitioner 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.

[f] 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]**.

7. Since this matter relates to matrimonial dispute, this Court directs the first petitioner and the defacto complainant and their family members to appear before the Mediation and Conciliation Centre attached to the Sub Court, Poonamallee. The Mediator shall



conduct the Mediation between the parties for atleast six months and to resolve the dispute between the parties. If the petitioner fail to co-operate for mediation, the order now passed by this Court will stand vacated automatically.

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 ADDITIONAL MAHILA JUDGE,
DINDIGUL DISTRICT
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, DINDIGUL, DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION, POONAMALLEE
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SURESH KANNAN.C Advocate SR.No.11040

ORDER

IN

CRL OP(MD) No.17782 of 2022

Date :06/10/2022

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