



WEB COPY

CRL OP(MD). N



22

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

Date : 26/10/2022

PRESENT

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

CRL OP(MD). No.18849 of 2022

1. S.Prasanth

2. S.Sappani Durai

... Petitioners/Accused No.1 & 2

Vs

The State represented by  
The Inspector of Police,  
All Women Police Station,  
Tiruverumbur,  
Trichy District.  
(Crime No.25/2022).

... Respondent/Complainant

For Petitioner : M/s.Karunanithi M,  
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.25/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 323, 294(b) and 506(i) IPC, in Crime No.25 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the de-facto complainant was solemnized on 23.05.2021 and after the marriage, the accused persons harassed the de-facto complainant by way of demanding dowry. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that A3 and A4 were already released on bail by the District Court. Hence, he prays for anticipatory bail.

WEB COPY

4.The learned Government Advocate(Crl.Side) strongly opposed this petition stating that the petitioners along with other accused demanded dowry of Rs.5,00,000/- and five sovereigns of gold jewels and harassed the de-facto complainant. She would further submit that five witnesses have already been examined and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the facts that it is a matrimonial dispute and the co-accused were already released on bail and five witnesses have already been examined, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or 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, Judicial Magistrate, Tiruchirappalli, 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 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 5560]**; and;



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

sd/-  
26/10/2022

/ TRUE COPY /

/11/2022

WEB COPY

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

TO

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

+1. CC to M/S.KARUNANITHI M Advocate SR.No.11941

ORDER  
IN  
CRL OP(MD) No.18849 of 2022  
Date :26/10/2022

SS/GB/SAR II/02/11/2022/ 3P 6C