



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

Date : 06/12/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.21529 of 2022

1. Muthumeena
2. Muthupriya

... Petitioners/Accused No.3 & 4

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station, Kamuthi,
Ramanathapuram District.
Crime No.11 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Muneeswaran B,
Advocate.
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

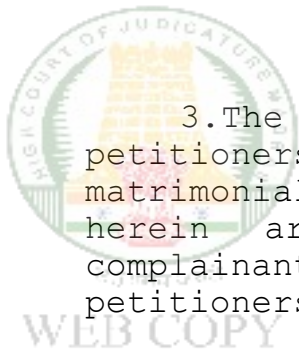
PRAYER :-

For Anticipatory Bail in Crime No.11 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 offence punishable under Section 498(A) of IPC and under Section 4 of tamil Nadu Dowry Prohibition Act, in Crime No.11 of 2022 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant is that the marriage between the defacto complainant and the first accused was solemnized on 14.09.2016. They have been blessed with two children. At the time of marriage, 16 sovereigns of gold jewels and other household articles were given to the defacto complainant as sridhanas. The petitioners and the other accused harassed the defacto complainant by demanding additional dowry and driven out the defacto complainant and her children from the matrimonial home. Hence, the complaint.



3.The learned Counsel for the petitioners would submit that the petitioners are innocent and a false complaint has been given due to matrimonial dispute. He would further submit that petitioners herein are mother-in-law and sister-in-law of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate would submit that the petitioners herein are in-laws of the defacto complainant and they along with the other accused harassed the defacto complainant by demanding additional dowry. Hence, he opposes to grant anticipatory bail to the petitioners.

5.Heard the learned counsels. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioners are only in-laws, 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 arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate, Kamuthi, on condition that the petitioners shall execute 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 everyday at 10.30 a.m., for a period of two weeks, thereafter every Saturday 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]**.



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

sd/-
06/12/2022

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/ TRUE COPY /

/12/2022

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

TO

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

+1 CC to M/s.B.MUNEESWARAN, Advocate (SR-14429[I] dated
07/12/2022)

ORDER
IN
CRL OP(MD) No.21529 of 2022
Date :06/12/2022

dss
USK/SSS/SAR-II/15.12.2022/3P/6C