



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/12/2022

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PRESENT

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

CRL OP(MD). No.22833 of 2022

1. Thomas,

2. T.Lalitha,

... Petitioners/Accused Nos. 2 & 3

Vs

State Rep.by

The Inspector of Police,

All Women Police Station,

Thoothukudi District.

Crime No.36 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Shyllappa Kalyan N,Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

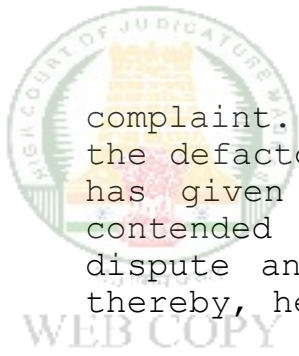
For Anticipatory Bail in Crime No.36 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 and 506(i) IPC in Crime No.36 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto Complainant is that, A1 and the petitioners herein, who are mother-in-law and father-in-law of the defacto complainant, have harassed her both mentally and cruelly and also demanded additional dowry from her. Hence, the complaint.

3.The learned Counsel for the Petitioners would submit that the Petitioners are innocent and they are in-laws of the defacto



complaint. He further submitted that A1 has sent a legal r to the defacto complainant and thereafter, only the defacto complainant has given a false complaint against the petitioners. He further contended that A1 is working in ship and it is only a matrimonial dispute and the jewels are also with the defacto complainant and thereby, he seeks anticipatory bail.

4.The learned Government Advocate (Crl. Side) would submit that the petitioners have demanded additional dowry from the defacto complainant and also harassed her both mentally and cruelly and thereby, he opposes to grant anticipatory bail.

5.Heard the learned counsels. Taking into consideration the facts and circumstances of the case and that the petitioners are only in-laws of the defacto complainant, 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 **learned Judicial Magistrate No.IV, Thoothukudi** 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 one week, thereafter first Saturday of every month 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 FII registered under Section 229A IPC.

sd/-
22/12/2022

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WEB COPY

/01/2023

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

TRP

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV
THOOTHUKUDI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.SHYLLAPPA KALYAN N, Advocate (SR-15373[I] dated 22/12/2022)

ORDER
IN
CRL OP(MD) No.22833 of 2022
Date :22/12/2022

PKP/VR/SAR-1/03.01.2023/3P/6C