



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/03/2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . Nos.3198 and 3064 of 2023

1.Inbaraj
2.Mohanraj

... Petitioners/Accused 1 & 2
in Crl.O.P(MD)No.3198 of 2023

1.Rajeshwari
2.Miikesh
3.Premalatha

... Petitioners/Accused 3 to 5
in Crl.O.P(MD)No.3064 of 2023

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Musiri,
Trichy District.
Crime No.4 of 2023

... Respondent/Complainant
in both Petitions

V.Sivaranjani

... Petitioner/De-facto Complainant
In Crl.MP(MD).3176/2023
in Crl.OP(MD).3064/2023

In both petitions:-

For Petitioners : Mr.K.SIVABALAN, Advocate

For Respondent1 : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

For Respondent 2 : Mr.T.A.PUNITHAN, Advocate

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

COMMON PRAYER :- For Anticipatory Bail in Crime No.4 of 2023 on
the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A1 to A5, who apprehend arrest at the hands of
the respondent police for the offences punishable under Sections
498(A), 323, 506(i) and 354(A) of IPC and Section 4 of Dowry
Prohibition Act in Crime No.4 of 2023, seek anticipatory bail.



2.The case of the prosecution is that the first petitioner is the husband of the de-facto complainant. The marriage between her and the first petitioner was solemnised on 13.06.2021 and at the time of marriage, 25 sovereigns of gold jewels were given as dowry. After marriage, her husband along with her family members harassed the de-facto complainant by demanding additional dowry and driven her out of the matrimonial home. The further allegation is that the second accused, who is the father of the first petitioner, had misbehaved with the de-facto complainant. Hence, the case.

3.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

4.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

5.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 Court, Thuraiyur, Trichy District, 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 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 first petitioner shall hand over all the sridhana articles including the original certificates and 22 sovereigns of gold jewels to the de-facto complainant and produce the receipt/acknowledgement before the learned Magistrate, on or 20.03.2023, failing which, the anticipatory bail already granted, shall stands dismissed automatically.

[c] the first petitioner shall report before the respondent Police, daily at 10.30 A.M., for a period of two weeks and thereafter, as and when required for interrogation; and the petitioners 2 to 5 shall report before the respondent police as and when required for interrogation;

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



[e] 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].

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

6.It is made clear that if the first petitioner violates the said order of this Court, the respondent police is at liberty to secure the first petitioner and proceed in accordance with law.

sd/-

06/03/2023

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/03/2023

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

SJI

TO

1 THE JUDICIAL MAGISTRATE,
THURAIYUR, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MUSIRI, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD). Nos.3198 and
3064 of 2023

Date :06/03/2023

SA/SAR.4/14.03.2023/3P/5C