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CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :27.03.2023

PRESENT

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

CRL OP(MD)No.5639 of 2023

1.Santhanamariappan

2.Velsamy

3.Lakshmi

... Petitioners/
Accused No.1 to 3

Vs

State Rep by
The Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.
(In Crime No.8 of 2023)

... Respondent/Complainant

For Petitioners : Mr.Kalidoss, Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

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

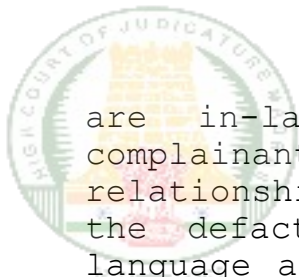
PRAYER :-

For Anticipatory Bail in Crime No.8 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A), 466, 506(i) IPC and Section 4 of TNPWH Act and Section 4 of the Dowry Prohibition Act, 1961 in Crime No.8 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the complainant are husband and wife and other petitioners



are in-laws. The petitioners quarrelled with the complainant by demanding dowry. The first petitioner had illicit relationship with another woman and when the same was questioned by the defacto complainant, the petitioners abused her in filthy language and also threatened her with dire consequence. Hence the case.

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3. Heard both sides and perused the materials available in record.

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 **(*)Additional Mahila Court, Srivilliputhur, Virudhunagar 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 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 second and third petitioners shall report before the respondent police as and when required;

[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/-

27/03/2023

(*)Amended as per order of the Court dated 28/04/2023 in Crl.MP (MD).7114/2023 in Crl.OP(MD). 5639/2023

Further The time for surrender by the petitioners before the concerned Court and executing the sureties is extended by two weeks from the date of receipt of a copy of this order, failing which the anticipatory bail already granted by this Court shall stand cancelled.

/ TRUE COPY /

/05/2023

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

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TO

TO BE SUBSTITUTED WITH THE ORDER DATED 27/03/2023 ALREADY DESPATCHED

1.THE JUDGE, ADDITIONAL MAHILA COURT, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

2.THE JUDICIAL MAGISTRATE,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

4.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.KALIDOSS, Advocate (SR-4952[I] dated 28/03/2023)

ORDER IN

CRL OP(MD) No.5639 of 2023

Date :27/03/2023

RK/BUC/SAR-3(11/04/2023) 3P/6C

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SA/VR/SAR. /31.05.2023/3P/7C