



(Crime



3).

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/03/2023

WEB COPY

PRESENT

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

CRL OP(MD) . 6003 of 2023

1.Vigneshprabhu

2.Kalayasundari

... Petitioners/Accused Nos. 1 & 2

Vs

State rep., by
The Inspector of Police,
AWPS-Thilagar Thidal Police Station,
Madurai City.

(Crime No.15 of 2023). ... Respondent/Complainant

For Petitioner : Mr.A.Subramanian, Advocate

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

For Intervenor : Mr.A.Marthandavarma, Advocate

PETITION FOR Anticipatory Bail Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.15 of 2023 on the file of the respondent police.

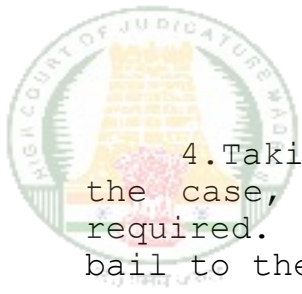
ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A) and 406 of IPC in Crime No.15 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant gave a complaint against her husband and his family members stating that they demanded dowry.

3.Heard and perused the materials available on record and also including FIR.

<https://www.mhc.tn.gov.in/judis>



4. Taking into consideration of the facts and circumstances of the case, the custodial interrogation of the petitioners is not required. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

WEB COPY

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 No.V, Madurai, 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. The second petitioner shall report before the respondent police as and when required for interrogation.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

6. The learned counsel on either side submitted that there is a possibility of settlement between the parties.



(Crime)



3).

7. Considering above, the matter is referred before the Mediation and Conciliation Centre attached to this Bench. The parties are directed to appear before the Mediation on **06.04.2023**. The Mediation Centre is directed to complete the mediation as expeditiously as possible.

sd/-
30/03/2023

/ TRUE COPY /

/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMK

TO

- 1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
AWPS THILAGAR THIDAL POLICE STATION,
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE CHIEF COORDINATOR,
MEDIATION AND CONCILLIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (SOFT COPY)

+1 CC to M/s.A.SUBRAMANIAN, Advocate (SR-5405[I] dated 03/04/2023)

ORDER
IN
CRL OP(MD) No.6003 of 2023
Date :30/03/2023

PKP/MMS/SAR-2/05.04.2023/ **3P/6C**