



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

Date : 20/04/2023

PRESENT

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

CRL OP(MD) . No.7342 of 2023

1. Thangapandi

2. Palaniyammal

3. Arikrishnan

... Petitioners / Accused No.1 to 3

Vs

The State rep by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.67 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Sasikumar.V., 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.67 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), 323, 324, 506(i) and 498(A) of I.P.C., Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 4 of Dowry Prohibition Act, in Crime No.67 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the de-facto complainant was solemnized on 10.11.2019. At the time of marriage, the parents of the de-facto complainant has given sufficient household articles and gold jewels to the petitioner. Out of the wedlock, they have blessed with a male child.



child. Right from the marriage, the petitioners have fully harassed the de-facto complainant by demanding additional dowry and also driven her out from the matrimonial house. While so the de-facto complainant approached the respondent police, wherein, the first petitioner agreed to live along with the de-facto complainant, but he failed to keep his promise. In furtherance to the assurance made by the first petitioner, the de-facto complainant once again approached the petitioners for reunion, but all the petitioners have attacked the complainant by utters in a filthy language. Hence, the case.

3. Heard. Perused the materials available on record including the First Information Report.

4. The learned counsel for the petitioners would submit that the first petitioner, to show his *bona fides*, is ready and willing to deposit a sum of Rs.25,000/- to the de-facto complainant directly.

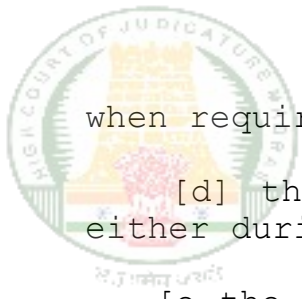
4. Considering the above facts and circumstances of the case and also the fact that the injured was already discharged from the hospital and also the submission made by the learned counsel for the petitioners, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

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, Thiruchuli, 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 first petitioner shall deposit the remaining amount of Rs.25,000/- (Rupees Twenty Five Thousand Only) by way of demand draft drawn in favour of the defacto complainant directly and on production of proof/acknowledgement the learned Magistrate shall accept the sureties furnished by the first petitioner.

[b] 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.

[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



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

sd/-
20/04/2023

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

SJI

To

1.The Judicial Magistrate,
Thiruchuli, Virudhunagar District.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.SASIKUMAR.V, Advocate (SR-6217[I] dated 20/04/2023)

ORDER
IN
CRL OP(MD) No.7342 of 2023
Date :20/04/2023

ED/MMS/SAR-2 (27/04/2023) 3P 6C

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