



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

Date : 25.04.2023

PRESENT

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

CRL OP(MD). No.7737 of 2023

1.S.Ravikumar
2.Velammal @ vasantha
3.Veeralakshmi

... Petitioners / Accused No.1 to 3

Vs

State rep., by
The Inspector of Police,
Arumuganeri Police Station,
Tiruchendur Taluk,
Tuticorin District.
(Crime No.63 of 2023)

... Respondent / Complainant

For Petitioner : Mr.A.D.Ganeshamoorthi, Advocate

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

For Intervenor : Mr.V.Rajiv Rufus, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.63/2023 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 offence punishable under Section 498 (A) of IPC, in Crime No.63 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 12.09.2012, a marriage was solemnized between the defacto complainant and the first petitioner. The second and third petitioners are her in-laws. At that time of marriage, 50 sovereigns of gold jewels and household articles given as dowry. Out of their wedlock, two male child were born. Thereafter, the petitioners wantonly abused the defacto complainant in filthy language, scolded her, send out from matrimonial home and also demanded dowry. Hence, the case.



3. Heard both sides and perused the materials available on record including the First Information Report.

4. The learned counsel for the defacto complainant submitted that during the marriage the defacto complainant was presented with 50 sovereign of gold, which was in the custody of the first petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that it is the civil dispute between the parties, 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, Tiruchendur, Tuticorin 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 am., for a period of two weeks and thereafter, as and when required for interrogation. The second and third petitioners shall report before the respondent police as and when required for interrogation. While the first petitioner reporting before the respondent police, the respondent police is directed to enquire about the possession of jewels as alleged by the defacto complainant and if the petitioners possessed the jewels, then the respondent police shall take appropriate steps to return the same to the defacto complainant.

[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 imposed and the petitioners released on bail by the



learned Magistrate/Trial Court himself as laid down by the 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.

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/05/2023

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

RMK

To

1.The Judicial Magistrate,
Tiruchendur, Tuticorin District.

2.Do through the Chief Judicial Magistrate,
Tuticorin District.

3.The Inspector of Police,
Arumuganeri Police Station,
Tiruchendur Taluk,
Tuticorin District.

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

+1 CC to M/s.A.D.GANESHAMOORTHY, Advocate (SR-6534[I] dated
25/04/2023)

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-6573[I] dated 26/04/2023)

ORDER
IN
CRL OP(MD) No.7737 of 2023
Date :25/04/2023

ED/VR/SAR-3 (04/05/2023) 3P 7C