



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/04/2023

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PRESENT

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

CRL OP(MD) . No.7824 of 2023

1. Priyadarshan,
2. Shivananthalakshmi,
3. Paramasivam,
4. Selvi,
5. Prasannakumar,
6. Pandi,
7. Sumathi,
8. Nithya,

... Petitioners/Accused No 1 to 8

Vs

Inspector of Police,
Awps Srivilliputtur Police Station,
Virudhunagar District.
Cr.No. 10 of 2023.

... Respondent/Complainant

For Petitioners :Mr. G.Karuppasamy Pandiyan,
Advocate.

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

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

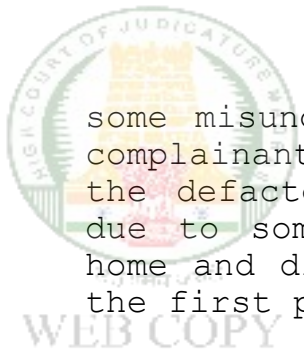
PRAYER :-

For Anticipatory Bail in Crime No.10 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent police for the offences punishable under sections 294 (b), 323,109,114,406, 498(A), 494, 506(i) of IPC and section 4 of TNPHW Act in Crime No.10 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 defacto complainant was solemnized on 07.05.2018 as per christian rites and customs. Thereafter there was



some misunderstanding between the first petitioner and the complainant and the first petitioner pledged the gold jewels of the defacto complainant and spent the money lavishly. Thereafter due to some dispute the defacto complainant left the matrimonial home and did not return back despite the entire efforts taken by the first petitioner and his family members.

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

4. Taking into consideration of the facts that it is a case of matrimonial dispute between the parties, 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, Additional Mahila Court, Srivilliputhur 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 alone 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.

[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].



CRL OP(MD).



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

sd/-
26/04/2023

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

AAV

TO

- 1.The Judicial Magistrate,
Additional Mahila Court,
Srivilliputhur
2. The Chief Judicial Magistrate, Viruthunagar at srivilliputhur
- 3.The Inspector of Police,
Awps Srivilliputtur Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP (MD) No.7824 of 2023

Date :26/04/2023

KB/AR/SII(28.04.2023) 3P 5C