



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

Date : 11/05/2023

PRESENT

The Hon`ble Mrs.Justice R. KALAIMATHI

CRL OP(MD) . No.8641 of 2023

1. Jaccob Jeyakumar
2. Roselin Rajakumari

... Petitioners/Accused No.1 & 2

Vs

The State rep. by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
Cr.No.239/2023.

... Respondent/Complainant

For Petitioner : M/s.Mayil Vahana Rajendran.C,
Advocate.

For Respondent : Mr.M. Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 239/2023 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), 498(A) and 506(i) IPC, in Crime No.239 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 and the defacto complainant are husband and wife and the petitioners said to have demanded additional sum of Rs.1,50,000/- as dowry from the defacto complainant and also harassed her both mentally and cruelly. Hence, the complaint.

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



4. It is submitted that sister of first petitioner's marriage is scheduled to be held on 01.06.2023.

5. Considering the facts and circumstances of the case and also considering the fact that A1's marriage is scheduled to be held on 01.06.2023, 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 their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kumbakonam, 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 to 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 petitioners shall report before the respondent police daily at 10.30 a.m for a period of 30 days 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 are 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/05/2023

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/05/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

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



TO

1. The Judicial Magistrate No.II, Kumbakonam.

2. Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3. The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.

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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-7604[I] dated
11/05/2023)

ORDER

IN

CRL OP(MD) No.8641 of 2023

Date : 11/05/2023

NA/VS/SAR-3/12.05.2023/3P/6C