



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.05.2023

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD)No.8797 of 2023

1.S.Guhan

2.P.Shanmugam

3.S.Vijayalakshmi

4.P.Jeyaraman

... Petitioners/Accused 1-4

Vs

State represented by
The Sub-Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No.262 of 2023)

... Respondent/Complainant

For Petitioners : Mr.L.Shaji Chellan, Advocate

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.262 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 174(3) Cr.P.C. altered into Section 306 IPC in Crime No.262 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant's daughter were husband and wife. The defacto complainant's daughter was committed suicide by hanging herself from the matrimonial home. Hence, the case.



3.The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the accused persons harassed the deceased by demanding huge dowry and there is specific allegations as against the first petitioner.

5.In view of the above, this petition is dismissed as against the first petitioner. Insofar as the other petitioners are concerned, they are living separately. Therefore, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 with certain conditions.

6.Accordingly, the petitioners 2 to 4 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Karur, on condition that the petitioners 2 to 4 shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only)each with two sureties (one blood related surety)each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners 2 to 4 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners 2 to 4 shall report before the respondent police once in a week i.e., on every Wednesday at 10.30 a.m., for a period of four months and thereafter, as and when required.

[c]the petitioners 2 to 4 shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners 2 to 4 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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 abscond, a fresh FIR registered under Section 229-A IPC.

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

gns

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
- 3.THE SUB-INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s..L.SHAJI CHELLAN, Advocate (SR-7431[I] dated
17/05/2023)

ORDER
IN
CRL OP(MD) No.8797 of 2023
Date :17/05/2023

RK/SAR- (24/05/2023) 5P/6C