



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/06/2023
PRESENT

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

CRL OP (MD) . Nos.8934 and 9107 of 2023

Jebastin Raj,

... Petitioner/Accused 1
in Crl.O.P.(MD)No.8934 of 2023

1.Mary Rajammal

2.Sundar @ John Sundar,

... Petitioners/Accused 2 & 3
in Crl.O.P.(MD)No.9107 of 2023

Vs

1. The Inspector of Police,
All Women Police Station,
Tirunelveli District.
In Crime No.05 of 2023.

... Respondent/Complainant
in both petitions

2. GiftaAniRanjini,

... 2nd Respondent/Defacto Complainant
in both petitions

J.Gifta Ani Ranjini

... Petitioner/Defacto Complainant
in Crl.MP(MD).7969/2023 in
Crl.OP(MD).8934/2023

In both petitions:

For Petitioner : M/s.Mano Kumar.M,
Advocate.

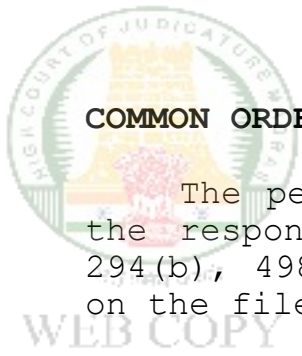
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For R2 : Mr.R.JIM, Advocate
(In Both Petitions)

For Intervenor : Mr.R.JIM, Advocate
(In Crl.MP(MD).7969/2023)

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

COMMON PRAYER :- For Anticipatory Bail in Crime No.05 of 2022 on
the file of the Respondent Police,



COMMON 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), 498A, 406, 324 and 506(I) of I.P.C., in Crime No.05 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 second respondent was solemnized on 09.09.2022 and at the time of marriage, 43 sovereigns of gold jewels and a sum of Rs.2.5 lakhs and household articles were given as dowry. After marriage, the petitioners harassed the second respondent by demanding additional dowry and the second petitioner assaulted her and caused injury to her thigh and on 29.01.2023, the first petitioner came to the place of occurrence and abused the second respondent in filthy language. Hence, the case.

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

4.Taking into consideration of the facts and circumstances of the case and also 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 Court, Nanguneri, 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 a.m., for a period of two weeks and thereafter, as and when required for interrogation; and the petitioners 2 and 3 shall report before the respondent police 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].

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

sd/-

08/06/2023

/ TRUE COPY /

/06/2023

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

SJI

TO

- 1 THE JUDICIAL MAGISTRATE COURT,
NANGUNERI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) . Nos.8934 and
9107 of 2023

Date :08/06/2023

SA/SSS/SAR. /19.06.2023/3P/5C