



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14/06/2023

PRESENT

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

CRL OP(MD). No.10406 of 2023

WEB COPY

1. K.Rajakumaran,
2. K.Aaimani,

... Petitioners/Accused 1 & 2

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Srivilliputhur Town,
Virudhunagar District.
Cr.No.11/2023.

... Respondent/Complainant

For Petitioners : M/s.THIRUNAVUKARASU M,
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. 11/2023 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, 342, 406, 427, 498-A, 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act (*)and **Section 4 of Dowry Prohibition Act, 1961** on the file of the respondent police, seek anticipatory bail.

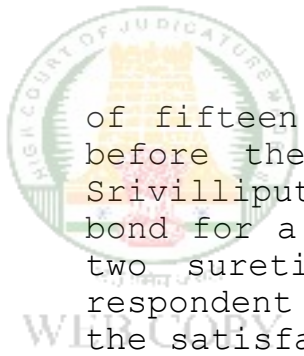
2. The case of the prosecution is that the petitioners abused the defacto complainant, assaulted her and also demanded more dowry from her.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent and Perused the materials available on record.

4. Taking into consideration of the facts and circumstances of the case and the fact that the petitioners are husband and mother-in-law of the defacto complainant, 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

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of fifteen days from the date on which the order copy made, before the learned Judicial Magistrate, Additional Mahile 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 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. The second petitioner 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

14/06/2023

**(*)Corrected as per order of this
Hon'ble Court in CRL OP(MD).10406 of
2023 Dated 23.06.2023**

/ TRUE COPY /

23/06/2023

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

LS



TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON 19.06.2023

1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, SRIVILLIPUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVILLIPUTHUR TOWN,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.THIRUNAVUKARASU M Advocate SR.No.8657

ORDER

IN

CRL OP(MD) No.10406 of 2023

Date :14/06/2023

SA/CG/SAR. /19.06.2023/3P/6C
RS/SSS/SAR. /23.06.2023/3P/6C