



CRL OP(MD). No.10555 of 2023

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

Date : 15/06/2023

PRESENT

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

CRL OP(MD). No.10555 of 2023

Senthazhaiperumal @ Senthalai Perumal

... Petitioner/ Accused No.4

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
(*)(*)**Srivilliputhur**
Virudhunagar District.
Crime No.21/2022.

... Respondent/Complainant

For Petitioner : M/s.K.Sivabalan, 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.21/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A), 417 and 420 of I.P.C. And (*)Section 4 of Tamil Nadu Prohibition of Harassment of Women

Act, 2002 and section 4 of Dowry Prohibition Act, 1961 in

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



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Crime No.21 of 2022 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that the marriage between the first accused and the de-facto complainant was solemnized on 28.11.2013 and at the time of marriage, 12 ½ sovereigns of gold jewels and household articles worth about Rs.10,000/- were given as dowry. Out of their wedlock, they have blessed with one female child and male child. Thereafter, the in-laws of the de-facto complainant harassed her by demanding more dowry and treated her in a cruel manner and left her out from the matrimonial home. Hence, the de-facto complainant gave a complaint before the All Women Police Station, Srivilliputhur and they conducted enquiry and made compromise between the them. Further, the first accused came in a drunken mode and asked a sum of Rs.1,00,000/- from the de-facto complainant as dowry and made harassment. In these circumstances, on 02.08.2020, the de-facto complainant's husband, younger brother and elder brother came in a drunken mode and abused her in filthy language and attacked her in the street in front of the public and left her from the matrimonial home by demanding dowry. 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 fact that it is a case of matrimonial dispute between the parties, this court is



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inclined to grant anticipatory bail to the petitioner with certain conditions:

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5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court, Srivilliputhur, Virudhunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 petitioner 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 petitioner shall report before the respondent Police as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-
15/06/2023

(*)FOR BEING MENTIONED AS PER ORDER OF THIS HON'BLE COURT DT.21/07/2023 IN CRL.OP(MD).10555/2023.

(*)(*)AMENDED AS PER THE ORDER OF THIS HON'BLE COURT DATED 17/08/2023 IN CRL MP(MD)No.11797 of 2023 in CRL OP (MD)No.10555 of 2023 BY GIJ.

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

**TO BE SUBSTITUTED WITH THE BEING MENTIONED ORDER DT. 21/07/2023
ALREADY DESPATCHED**

1.THE JUDGE,
ADDITIONAL MAHILA COURT, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

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



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

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-12384[I] dated 17/08/2023)

ORDER

IN

CRL OP(MD) No.10555 of 2023

Date :15/06/2023

RK/ CG/SAR- (28/06/2023) 5P/5C

INDU

PKP/MR/SAR- /29.07.2023/ **5P/5C**

TTA

SS/VRS/24/08/2023/ 5P 5C

Madurai Bench of Madras High Court is issuing certified
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