



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.10601 of 2023

WEB COPY

1. Solaiappan

2. Chithra

... Petitioners/Accused No.2 and 3

Vs

The Inspector of Police,
All Women Police Station,
Madurai Town, Madurai City.
Cr.No.4/2023.

... Respondent/Complainant

For Petitioner : M/s.Rameshkumar.D, 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.4/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498-A, 406 and 506(i) of I.P.C., in Crime No.4 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 accused and the de-facto complainant was solemnized on 12.09.2018 and from the date of marriage, the petitioners and the first accused harassed the de-facto complainant by demanding additional 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 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 date on which the order copy made ready, before the learned **(*)Judicial Magistrate No.VI, Madurai**

on condition that the petitioners shall execute a bond for a sum of

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Rs.10,000/- (Rupees Ten Thousand only) each with two sureties 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 petitioners 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/-

15/06/2023

**(*)AMENDED AS PER ORDER OF THIS COURT
DATED 12.07.2023 IN CRL MP(MD)NO.9906
OF 2023 IN CRL OP(MD)NO.10601 OF 2023**

**TIME IS ALSO EXTENDED FURTHER FOR A
PERIOD OF 15 DAYS, FROM THE DATE OF
RECEIPT OF COPY OF THIS ORDER.**

/ TRUE COPY /

/07/2023

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

SJI



TO

TO BE SUBSTITUTED WITH THE ORDER DATED 15/06/2023 ALREADY DESPATCHED

1. THE JUDICIAL MAGISTRATE NO.VI, MADURAI
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
4. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
5. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI TOWN,
MADURAI CITY.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10601 of 2023
Date :15/06/2023

DL/(03.07.2023)/ 3P/5C
RK/DD/ SAR- (14.07.2023) 3P/7C