



CRL OP(MD). No.11273 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2023

PRESENT

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

CRL OP(MD). No.11273 of 2023

Sonai Karppppasamy,

... Petitioner/ Accused No.5

Vs

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

... Respondent / Complainant

For Petitioner : Mr.J.Krishnakannan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2022 on the file of the respondent police



CRL OP(MD). No.11273 of 2023

ORDER: The Court made the following order :-

WEB COPY

The petitioner/ A5 who apprehends arrest at the hands of the respondent police for the offences punishable under sections *294(b),417,420 and 498(A) of IPC and U/s 4 of Dowry Prohibition Act 1961 and U/s 4 of Tamilnadu Prohibition of Harrassment of Women Act 2002, in Crime No.21 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the first accused and the defacto complainant was solemnized few years ago and they were blessed with two children. When the defacto complainant questioned about the pledged jewels, there arose a quarrel and thereafter family members of the petitioner herein abused the defacto complainant and also harassed her demanding more dowry, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. Taking into consideration of the facts that it is a case of matrimonial dispute between the parties, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

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



CRL OP(MD). No.11273 of 2023

WEB COPY

the order copy made ready, before the learned Judicial Magistrate, Additional Mahila Court, Srivilliputhur 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 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].



CRL OP(MD). No.11273 of 2023

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section

WEB COPY
229A IPC.

sd/-
23/06/2023

(*)AMENDED AS PER ORDER OF THIS
HON'BLE COURT DT.18/07/2023 IN CRL
MP(MD) No.10200 of 2023 in CRL.OP(MD).
11273 of 2023.

/ TRUE COPY /

/08/2023

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

AAV

TO

TO BE SUBSTITUTED WITH THE ORDER DT.23/06/2023 ALREADEY
DESPATCHED

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, VIRUDHUNAGAR DISTRICT



CRL OP(MD). No.11273 of 2023

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

+1. CC TO J.KRISHNAKANNAN ADVOCATE SR.NO.9489, DT.23.06.2023.

ORDER
IN
CRL OP(MD) No.11273 of 2023
Date :23/06/2023

SI(04.07.2023)5P/ 6C
ED/ DD /SAR- (02/08/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023