



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

Date : 30.06.2023

PRESENT

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

Crl.O.P.(MD)Nos.11671 & 11747 of 2023

WEB COPY

Ashokraja

... Petitioner/Accused No.1
in Crl.O.P.(MD)No.11671 of 2023

1 Paramasivam
2 Rathichandra
3 Arjun
4 Ajith

... Petitioners/Accused No.2 to 5
in Crl.O.P.(MD)No.11747 of 2023

Vs

State rep by
The Inspector of Police,
All Woman Police Station,
Theni District.
Cr.No.27 of 2023

... Respondent/Complainant
in both Crl.O.Ps.

For Petitioner
(in Crl.OP(MD).11671/2023)

: Mr.K.Jeyamohan, Advocate

For Petitioners
(in Crl.OP(MD).11747/2023)

: Mr.C.Susi Kumar, Advocate

For Respondent
(in both Crl.O.Ps.)

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

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.27 of 2023 on the file of the
Respondent Police.

COMMON ORDER : The Court made the following common order :-

The petitioners/A1 to A5, who apprehend arrest at the hands of
the respondent police for the offences punishable under Sections 498
(A), 294(b), 323, 406, 506(i) IPC and Section 4 of the Dowry
Prohibition Act in Crime No.27 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the petitioner in
Crl.O.P.(MD)No.11671 of 2023 is the husband of the defacto
complainant and other petitioners are in-laws. All the accused
persons were harassed the defacto complainant by demanding

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



additional dowry. Hence the case.

3. Heard both sides and perused the materials available in the record.

4. Considering the facts and circumstances of the case, 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 Additional Mahila Court, Theni, 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 petitioner in CrI.O.P.(MD)No.11671 of 2023 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 other petitioners shall report before the respondent police as and when required.

[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/-

30/06/2023

/ TRUE COPY /

/07/2023

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

gns



TO

1 THE JUDGE, ADDITIONAL MAHILA COURT, THENI.

2 THE INSPECTOR OF POLICE, ALL WOMAN POLICE STATION, THENI DISTRICT.

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

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-9886[I] dated 30/06/2023)

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-10071[I] dated 03/07/2023)

ORDER

IN

Crl.O.P.(MD)Nos.11671 & 11747 of 2023

Date :30/06/2023

RS/VR/SAR-(11.07.2023) 3P 6C