



WEB COPY

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

Date : 21/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12270 of 2023

1. P.Kishorekumar,
2. C.Karpagavalli,
3. V.Pattabiraman,
4. P.Prakashini,
5. V.Pavan Kumar,

... Petitioners/ Accused No 1 to 5

Vs

1. State rep. by
The Inspector of Police,
All Women Police Station,
Theni District.
(In Crime No.30 of 2023).

2. Annapurani,
D/o.Sundharam

(R2 is Suo-Motu Impleaded as Per Order of this Court dated 06/07/2023 in Crl.O.P (MD).No.12270 of 2023)

... Respondents/Complainants

For Petitioners : M/s.K.Neethimohan,
Advocate.

For 1st Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

For 2nd respondent :G.Karuppasamy Pandian, Advocate.



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

PRAYER :-

For Anticipatory Bail in Crime No.30 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused herein, who was arrested for the alleged offences (*)under section 4 of Dowry Prohibition Act 1961 and Sections 294(b), 498(A), 506 (1) of IPC, in Crime No.30 of 2023, on the file of the respondent police, seek anticipatory bail.

2. Today when the matter is taken up for hearing, the learned counsel for the petitioners submitted that on the earlier occasion, considering the relationship between the parties, this Court referred the matter to the mediation centre for amicable settlement. He further submitted that the matter is not settled between the parties before the mediation centre.

3. The learned counsel for the intervenor submitted that the second respondent/ defacto complainant is ready to settle the issue.



4. A perusal of CD file shows that the compromise reached between the first petitioner and the defacto complainant for mutual separation before the family elders and the defacto complainant signed the document dated 31.01.2023.

5. The learned counsel for the defacto complainant/second respondent submitted that the above said compromise is not mutual and the defacto complainant was forced by the petitioners to sign the documents.

6. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the most of the investigation is over.

7. Considering the facts and circumstances of the case and also the fact that the custodial interrogation is not necessary in this case, since it is a family dispute, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Additional Mahila Court, Theni, and on their executing 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 learned Magistrate concerned; and the first petitioner shall appear before the respondent police on every



Saturday at 10.30 am until further orders and the petitioners 2 to 5 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
21/08/2023

(*)CORRECTED AS PER ORDER OF THIS
COURT DATED 04.10.2023 IN CRL MP (MD)
NO.14054 OF 2023

15DAYS TIME IS GRANTED TO COMPLY
THE ORDER IN CRL OP(MD)NO.12270 OF
2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
TO BE SUBSTITUTED WITH THE ORDER DATED 21/08/2023 ALREADY
DESPATCHED.

1 THE ADDITIONAL MAHILA JUDGE,
THENI.



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

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

ORDER
IN
CRL OP(MD) No.12270 of 2023
Date :21/08/2023

SSA/VR/08.09.2023/5P/4C
SSA/DD(10.10.2023)5P/4C

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