



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.12675 & 12680 of 2023

1. Marimuthuraja,
2. Murugeswari,
3. Gowsalya,
4. Pradeep,
5. Muthupandi

... Petitioners/ Accused Nos.1, 3, 4, 5 & 6
in Crl.O.P.(MD).No.12675 of 2023

Indra (India Thai)

... Petitioner/ Accused No.2
in Crl.O.P.(MD).No.12680 of 2023

Vs

1. State Rep.by
The Inspector of Police,
All Women Police Station,
Bodinayakanoor, Theni District.
(Crime No.29/2023).

... Respondent/Complainant

2. Paneeswari
W/o.Marimuthuraja,
Diamond Nagar, Kombai Colony,
Kombai, Uthamapalayam Taluk,
Theni District.

... 2nd Respondent
IN BOTH PETITIONS

(R2 is Suo-Motu Impleaded as Per Order of the Court
dated 12/07/2023 in CRL OP(MD).12675/2023)



WEB COPY

For Petitioners : M/s.Ramasamy.S, Advocate.
in Crl.O.P.(MD).No.12675 of 2023

For Petitioner : M/s.P.Venkatesan, Advocate.
in Crl.O.P.(MD).No.12680 of 2023

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)
In both petitions

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

PRAYER :-

For Anticipatory Bail in Crime No.29 of 2023 on the file of the respondent police

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

The petitioners/ Accused No.1, 3 to 6, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 494, 498(A), 109 of IPC, in Crime No.29 of 2023 on the file of the respondent police, seeking anticipatory bail, filed Crl.O.P.(MD).No.12675 of 2023 and Accused No.2 filed Crl.O.P.(MD).No.12680 of 2023.

2.The case of the prosecution is that one Pandeewari, who is the wife of the 1st petitioner herein has given a complaint to the respondent on 22.06.2023 stating that marriage was solemnized between her and the 1st petitioner on 08.07.2019. At the time of marriage, her parents presented 3 sovereigns of Gold Jewels besides household articles, out of wedlock, she gave birth two female children. Thereafter,

the 1st petitioner has married the second accused in this case. When the same was

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



questioned, the petitioners in turn, abused her and driven out of the matrimonial home. Out of the 3 sovereigns of gold jewels, the 1st petitioner sold out 2 ¼ sovereigns of gold jewels. Hence, the complaint.

3. For the purpose exploring the possibility of settlement the second respondent suo motu impleaded in this case. She is also present before this Court and she has stated that after their marriage, the first accused used to come to the house in drunken mood and picked up quarrel. On that ground trouble has arisen between them. At one point of time, the first accused married one Indira, who is shown as second accused in this case. During the course of investigation, sufficient materials have been collected to show that the first accused married the second accused. The defacto complainant further stated that even though compromise talk was made, the first accused was not willing for resumption of matrimonial life. They have got a child also. So far other accused namely accused Nos. 3, 4, 5 & 6 are concerned, it has been stated in the FIR that when the defacto complainant approached the above said persons aggrieved over the conduct of the first accused, they abused her and insulted.

4. Considering the limited allegation that has been made against the petitioners/accused Nos. 3 to 6, this Court is inclined to grant anticipatory bail to them with certain conditions. In respect of the overt act attributed against the accused Nos. 1 and 2, this Court is not inclined to grant anticipatory bail to them.



WEB COPY

5. Accordingly, Criminal Original Petition in CrI.O.P.(MD).No.12675 of 2023 is allowed in respect of the petitioners 3 to 6 and the petitioners 3 to 6 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Bodinayakanoor, on condition that the petitioners 3 to 6 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 learned Magistrate concerned and the petitioners 3 to 6 shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners 3 to 6 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 3 to 6 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

7. CrI.O.P.(MD).No.12675 of 2023 stands dismissed in respect of first petitioner/first accused. CrI.O.P.(MD).No.12680 of 2023 filed by the second accused stands dismissed.

sd/-

25/07/2023

/ TRUE COPY /

/08/2023

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



TM
WEB COPY
TO

1 THE JUDICIAL MAGISTRATE, BODINAYAKANOOR.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
BODINAYAKANOOR,
THENI DISTRICT.

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

+1 CC to M/s.S.RAMASAMY, Advocate (SR-11304[I] dated 26/07/2023)

ORDER
IN
CRL OP(MD). Nos.12675 & 12680 of 2023
Date :25/07/2023

RS/VRS/SAR-(02.08.2023) 5P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023