



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/03/2023

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PRESENT

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

CRL OP(MD) . No.15071 of 2022

1. Udaiyappan,
2. Lakshmi,
3. Meenal,
4. Jambulingam,
5. Chithra,
6. Vijaya,

... Petitioners/Accused 2 to 7

Vs

1. State Rep.by
The Inspector of Police,
All Women Police Station, Karaikudi,
Sivagangai District.
Crime No.34 of 2022.

...Petitioner/Complainant

2. Vadivukkarasi, ...2nd Respondent/Defacto Complainant

3. Pandiselvam,
(R2,R3 are Suo Motu Impleaded as Per
Order of the Court District 23/08/2022
in Crl OP(MD)No.15071/2022 by GIJ)

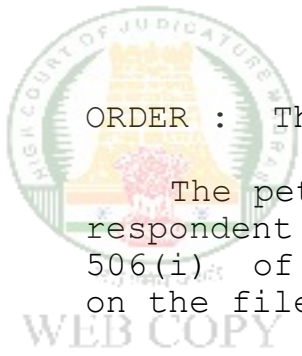
For Petitioners : M/s.Lenin Kumar T, Advocate.

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.34 of 2022 on the file of the
Respondent Police.



ORDER : The Court made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent police for the offences punishable under sections 498(A) 506(i) of I.P.C., and section 4 of TNPHW Act in Crime No.34 of 2022 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 defacto complainant was solemnized on 03.09.2017 and out of the wedlock they were blessed with a male child. After nine months of marriage the first accused had gone abroad, thereafter petitioners demanded more dowry and harassed her and abused her in filthy language, 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 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 learned Judicial Magistrate, Karaikudi 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 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 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 imposed and the petitioners released on bail by the



learned Magistrate/Trial Court himself as laid down by the 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.

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08/03/2023

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/03/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE,
KARAIKUDI

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAIKUDI,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-3782[I] dated 09/03/2023)

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-3805[I] dated 09/03/2023)

ORDER
IN
CRL OP(MD) No.15071 of 2022
Date :08/03/2023

PKP/ /SAR-4/14.03.2023/ **3P/7C**