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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14216 of 2023

1. Meenambiga,
2. Ayyammal,
3. Ramkrishnan,

... Petitioners/ Accused 2 to 4

Vs

1. The Inspector of Police,
All Women Police Station,
Madurai South,
Crime No.33/2023.

2. Saranraj,
(R2 is Suo-Motu Impleaded as Per Order
of the Court District 03/08/2023)

... Respondents/Complainants

For petitioners : M/s.Senthil. D,
Advocate.

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

For Intervenor : Mr.V.Karuna
Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.33 of 2023 on the file of the respondent police

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



ORDER : The Court made the following order :-

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The petitioners/Accused No.2 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406, 506 (ii) of IPC, in Crime No.33 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant married the first accused. After their marriage the first accused and other accused persons tortured the defacto complainant, demanding more dowry. In view of the harassment and cruelty the defacto complainant lodged a complaint. Now the first accused is in abroad.

3.The learned counsel for the petitioners would submit that the petitioners are no way connected with the issue.

4.The learned counsel for the defacto complainant would submit that even though the first accused is not a party before this Court, finding that only on behalf of the first accused, this first petitioner has filed the H.M.O.P. before the Family Court, Madurai, direction was issued to advice the accused persons to comply the above said order of maintenance. Therefore, the first accused was already suo motu

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impleaded as party in this case. The petitioners were directed to file an undertaking affidavit.

5.The undertaking affidavit has been filed by the petitioners to the effect that they will advise the accused No.1 to pay the maintenance amount of Rs.8,000/- per month directly to the account of the defacto complainant, continuously. The petitioners as well as the first accused shall comply the above said undertaking strictly. If any failure is noticed, the respondent is at liberty to proceed against the first accused, even by issuing Look out notice.

6.With the above said direction, this Criminal Original Petition is allowed and petitioners is ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.IV, Madurai, 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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.

sd/-
14/09/2023

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

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TO

1. The Judicial Magistrate No.IV, Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Judge,
The Family Court, Madurai.
4. The Inspector of Police,
All Women Police Station,
Madurai South.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.SENTHIL, Advocate (SR-13756[I] dated 15/09/2023)
+1 CC to M/s.V.Karuna, Advocate (SR-13696[I] dated 15/09/2023)



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ORDER
IN
CRL OP(MD) No.14216 of 2023
Date :14/09/2023

SSA/VRS/10.10.2023/5P/8C

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