



CRL OP(MD). No.14357 of 2023

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

Date : 19/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14357 of 2023

1.Vivek Kumar

2.Vasu

3.Rajeswari

... Petitioners/ Accused Nos.1 to 3

Vs

1.The State, represented by
The Inspector of Police,
All Women Police Station,
Madurai Town, Madurai District.
Crime No.09 of 2023.

... Respondent/Complainant

2.Shanmugapriya
(R2 is suo motu impleaded as per Order of
the Court dt.07/08/2023 in CrI.OP(MD).
14357/2023)

... 2nd Respondent

For Petitioner : Mr.P.SENGUTTUARASAN, Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.09/2023 on the file of the
Respondent police.



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ORDER: The Court made the following order :-

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The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406 and 506(i) I.P.C., in Crime No.09 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The petitioner himself moved H.M.O.P. No.363 of 2023 seeking restitution of conjugal rights, is pending before the Family Court, Madurai. Pending the above said proceedings, this anticipatory bail application has been filed.

3. The case of the prosecution is that the petitioners are the husband and in-laws of the defacto complainant. The defacto complainant lodged a complaint stating that right from the marriage, frequent trouble arose between the petitioners and the defacto complainant demanded more dowry. From February 2022, the first petitioner demanded more gold jewels and Rs.10,00,000/-. Also suspected her fidelity. On 02.06.2022 at about 10.00 a.m., the petitioners demanded Rs.1,00,00,000/- for constructing a house and thereby harassed her. Thereafter, they threatened the defacto complainant and her family members demanding more dowry. Hence, the complaint.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.



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5. The matter was referred to the Mediation Centre. The learned counsel for the petitioner would submit that even though the petitioners appeared, the second respondent did not appear before the Mediator. So, the matter referred back to the Court.

6. Reading of the First Information Report shows that some sort of trouble arose between the parties alleged demanding dowry, money, etcetra.

7. The learned Government Advocate (Crl.Side) would submit that now the conciliation process is under way.

8. In view of pendency of the above said conciliation process, anticipatory bail is granted to the petitioners.

9. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate 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.

10. The petitioners shall appear before the concerned Magistrate within a period



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of 15 days from the date on which the order copy made ready, failing which, the
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petition for anticipatory bail stands dismissed.

sd/-
19/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

1 THE JUDICIAL MAGISTRATE NO.IV,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI TOWN,
MADURAI DISTRICT.

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



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+1 CC to M/s.P.SENGUTTUARASAN, Advocate (SR-13950[I] dated 21/09/2023)

ORDER
IN
CRL OP(MD) No.14357 of 2023
Date :19/09/2023

SA/VRS/SAR. /27.09.2023/5P/6C

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