



CRL OP(MD)No.14475 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :03.10.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD) No.14475 of 2023

1 BALASUBRAMANIAN

2 KAMALA @ KAMALA DEVI

3 SANTHINI DEVI

... PETITIONERS/ ACCUSED No.2, 3 AND 4
Vs

1 THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIRANGAM,
TRICHY CITY.
CRIME NO. 4 OF 2023.

... 1st RESPONDENT/COMPLAINANT

(*)2 BABY SHAMILI

... 2nd RESPONDENT/DEFACTO COMPLAINANT

(*)3 SANKAR GANESH

... 3rd RESPONDENT / ACCUSED

(*)R2 AND R3 ARE SUO-MOTU IMPEADED AS PER
ORDER OF THE COURT DATED 08/08/2023 in CRL
OP(MD)No.14475 of 2023.

For Petitioner : M/S.KARUPPASAMY PANDIYAN Advocate

For Respondent : M/S.M.AASHA, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.4 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-



CRL OP(MD)No.14475 of 2023

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The petitioners/A2, A3 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 406 IPC in Crime No.4 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and third respondent are husband and wife. The petitioners herein are in-laws. They harassed the defacto complainant by demanding additional dowry. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are only in-laws. Due to matrimonial dispute, the defacto complainant filed a false complaint and the petitioners herein are innocent and they have not committed any offence as alleged in the complaint. Hence, he prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the petitioners and other accused harassed the defacto complainant by demanding additional dowry. Hence, she opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that it is a family dispute, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail in the event of



CRL OP(MD)No.14475 of 2023

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arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Srirangam 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 petitioners 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 trial Court on summons.

[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 have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



CRL OP(MD)No.14475 of 2023

[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-

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/10/2023

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

gns

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SRIRANGAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
SRIRANGAM, TRICHY CITY.

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

+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-14621[I] dated
04/10/2023)

ORDER IN
CRL OP(MD) No.14475 of 2023
Date :03/10/2023

RS/VRS/SAR-(10.10.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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