



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/08/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.15562 of 2023

1. Narayanan,
2. Meiyammai

... Petitioner/2nd & 3rd Accused

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District,
Crime No.17/2023.

... Respondent/Complainant

For Petitioners : M/s.Poornachandran.C,
Advocate.

For Intervenor : M/s.V.R.Shanmuganathan
Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2023 on the file of the respondent police



ORDER: The Court made the following order :-

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The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 498(A), 406 and 506(i) of IPC and Section 4 of TNPHW Act in Crime No.17 of 2023 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 15.08.2022 and thereafter the parents of the first accused demanded more dowry and harassed her, hence the case.

3. The learned counsel for the petitioners would contend that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners herein are only in-laws of the defacto complainant and they never committed any offence and immediately after marriage the first accused the defacto complainant were residing in Canada and the petitioners herein never visited Canada, hence they seek anticipatory bail.

4. Mr.V.R.Shanmugathan, learned counsel appeared before this Court and

sought a short adjournment for filing intervening petition. This Court rejected the



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request made by the learned counsel for the intervenor and for filing intervening petition this Court is not inclined to give adjournment. If he is aggrieved by the order he can challenge the order in the manner known to law.

5. The learned Additional Public Prosecutor would submit that the petitioners herein demanded more dowry and harassed the defacto complainant. He would further submit that the petitioners herein are in-laws of the defacto complainant, however he objected to grant anticipatory bail to the petitioners

6. Heard both side and perused the materials available on record.

7. Considering the rival submissions on either side and considering the fact that the petitioners herein are only in-laws of the defacto complainant and considering the nature of offences this Court is inclined to grant anticipatory bail to the petitioners , subject to the following conditions:

8. 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



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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 on further condition that:

[a] the petitioners shall report before the respondent police on every Monday at 10.00 A.M. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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].



[e] If the accused thereafter absconds, a fresh FIR can be registered under
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Section 229A IPC.

sd/-
28/08/2023

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/08/2023
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.S.POORNACHANDRAN, Advocate (SR-12889[I] dated 29/08/2023)

ORDER
IN
CRL OP(MD) No.15562 of 2023
Date :28/08/2023

SS/JGB/30/08/2023/5P/6C