



CRL OP(MD). No.15666 of 2023

WEB COPY

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

Date : 01/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.15666 of 2023

1.K.M.Sachin
2.K.R.Mohan
3.K.M.Saratha

... Petitioners / Accused Nos.1 to 3

Vs

State rep. by
Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
(Crime No.* 15 of 2023).
(* Amended as per order of the Court
dated 01.09.2023 in CRL MP(MD)
No.12688 of 2023 in CRL OP(MD)
No.15666 of 2023)

... Respondent / Complainant

For Petitioners : Mr.M.R.Thangavel, Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.15 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.15666 of 2023

ORDER: The Court made the following order :-

WEB COPY

The petitioners/ Accused Nos.1 to 3 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498A and 506(i) of IPC r/w. Sections 3 and 4 of Dowry Prohibition Act in Crime No.15 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are husband and in-laws of the defacto complainant and the petitioners demanded more dowry to the defacto complainant and also given life threats. Hence, the defacto complainant filed petition before the Judicial Magistrate No.I, Kumbakonam and the same was forwarded to the respondent police.

3. The learned counsel for the petitioners would contend that the petitioners are innocent and a false case has been foisted against them. He would further submit that the first petitioner and the defacto complainant got married on 02.12.2015 and due to misunderstanding, the first petitioner and defacto complainant are living separately from the year 2016. These petitioners are not living with the defacto complainant. They are no way connected with the case. Hence, they seek anticipatory bail.

4. The learned Additional Public Prosecutor would submit that after marriage, there is no issues to the first petitioner and defacto complainant and thereby, wordy



CRL OP(MD). No.15666 of 2023

quarrel arose between them. He objected to grant anticipatory bail to the petitioners.

WEB COPY

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

6. Considering the rival submissions on either side and considering the relationship of the parties and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. 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 No.I, Kumbakonam, Thanjavur District, 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 on further condition that:

[a] the petitioners shall report before the respondent Police on every first working day of English Calender month for three months at 10.00 am., and thereafter, as and when required.

[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.



CRL OP(MD). No.15666 of 2023

WEB COPY

[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 Section 229A IPC.

sd/-
01/09/2023

/ TRUE COPY /

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

MRN

To

1.The Judicial Magistrate No.I,
Kumbakonam, Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
All Women Police Station,
Kumbakonam, Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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



CRL OP(MD). No.15666 of 2023

+1 CC to M/s.K.GNANASEKARAN, Advocate (SR-13200[I] dated 05/09/2023)

ORDER
IN
CRL OP(MD) No.15666 of 2023
Date :01/09/2023

ED/ VRS /SAR- (08/09/2023) 5P / 6C

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