



CRL OP(MD)No.15873 of 2023

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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.15873 of 2023

1.Ranjithkumar

2.Ganesan

3.Ulagammal

4.Roja

... Petitioners/ Accused No.1 to 4

Vs

The Inspector of Police,
All Women Police Station,
Aruppukottai,
Virudhunagar District.
(Crime No.19 of 2023)

... Respondent/ Complainant

For Petitioners : Mr.N.Mohideen Basha, 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.19 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 IPC and Section 4 of the



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Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.19 of 2023
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on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that marriage between the first petitioners and the defacto complainant was solemnized on 26.11.2020. At that time, 20 and $\frac{3}{4}$ sovereigns of gold jewels and Rs.4,00,000/- worth sridhana articles were given as dowry. Due to harassment made by the in-laws, the defacto complainant preferred the present complaint.

3.The learned counsel for the petitioners would contend that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that due to harassment made by the in-laws, the defacto complainant filed the present complaint. Investigation in this case is still pending.

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



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6.Considering the rival submissions on either side and considering nature of offence and also considering the relationship between the parties, 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, Aruppukottai, 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 1, 2 & 3 shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation. The fourth petitioner shall report before the respondent police on every first working day of English Calender month for a period of three months.

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



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[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 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.

gns



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TO
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1.THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.

4 MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.MOHIDEEN BASHA, Advocate (SR-13268[I] dated 05/09/2023)

ORDER
IN

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Date :01/09/2023

RK /VR(11/09/2023) 5P / 6C

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