



CRL OP(MD)No.16165 of 2023

WEB COPY

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.16165 of 2023

1.Karthik Raja

2.Muthulakshmi

3.Raju

... Petitioners 1 to 3/ Accused nos. 1 to 3

Vs

State Rep.by

The Inspector of Police,

All Women Police Station,

Palani, Dindigul.

(Crime No.13 of 2023)

... Respondent/Complainant

For Petitioners : Mr.M.Ramsiva,Advocate

For Respondent : Mrs.M.Aasha,

Government Advocate(Crl.side)

For Intervenor : Mr.L.Rajiah,Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.13 of 2023 on the file of the Respondent Police.



CRL OP(MD)No.16165 of 2023

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A), 506(2) IPC and Section 4 of the Dowry Prohibition Act, 1961 in Crime No.13 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife and their marriage was solemnized on 03.09.2017. At the time of marriage, the petitioners demanded 100 sovereigns of gold jewels. After marriage, the petitioners 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 innocent and they have not committed any offence as alleged in the complaint. Due to family dispute, the defacto complainant lodged a false complaint. Therefore, he prayed for anticipatory bail to the petitioners.

4.The Government Advocate(Crl.side) appearing for the respondent would submit that investigation in this case pending.

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:



CRL OP(MD)No.16165 of 2023

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6. 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, Palani, 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



CRL OP(MD)No.16165 of 2023

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
03/10/2023

(*)AMENDED AS PER ORDER OF THIS COURT
DATED 06.07.2023 IN CRL MP(MD)NO.9641 OF
2023 IN CRL OP(MD)NO.10029 OF 2023
FURTHER TWO WEEKS TIME IS GRANTED TO
THE PETITIONER TO COMPLY WITH THE
CONDITIONS IMPOSED BY THIS COURT FROM
TODAY AS LAST CHANCE.

/ TRUE COPY /

17/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO
TO BE SUBSTITUTED WITH THE ORDER DATED 03/10/2023 ALREADY
DESPATCHED

- 1 THE JUDICIAL MAGISTRATE,
PALANI
- 2 THE JUDICIAL MAGISTRATE,
DINDIGUL.
- 3 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.



CRL OP(MD)No.16165 of 2023

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PALANI, DINDIGUL.

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

+1 CC to M/s.SM.RAMASIVA, Advocate (SR-14547[I] dated 03/10/2023)

ORDER
IN
CRL OP(MD) No.16165 of 2023
Date :03/10/2023

PKP/DD/SAR- /09.10.2023/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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PKP/17.10.2023/ 5P/ 7C