



CRL OP(MD). No.17539 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.17539 of 2023

Manikandamoorthy,

... Petitioner/ Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Woman Police Station,
Keelakkarai,
Ramanathapuram District.
Crime No.15 of 2023..

... Respondent/ Complainant

For Petitioner : M/s.Veerakumar T, Advocate.

For Respondent : Mr.S. Manikandan,

Government Advocate (Crl.Side)

For Intervener: Mr.P.Mahendra Rajan, Advocate

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.



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ORDER : The Court made the following order :-

The petitioner/ Accused No.I, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 406 IPC in Crime No.15 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is the husband of the defacto complainant has demanded additional dowry of Rs.4,00,000/- and he has also received a sum of Rs.7,48,000/- from the defacto complainant through loan and subsequently, failed to repay the same and the parents and sister of defacto complainant are also intimidated the defacto complainant and hence the case.

3.The learned counsel for the petitioner would contend that it is a matrimonial dispute between the petitioner and the defacto complainant. He would further submit that the petitioner is innocent and a false case has been foisted against him. Hence he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner has demanded additional dowry from the de facto complainant and the co-accused have already been released on bail. He would further submit that the investigation of the case is pending, hence he objected to grant anticipatory bail to the petitioner.

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



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6. Considering the rival submissions on either side and also considering the fact that co-accused have already been released on bail and also considering the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court, Ramanathapuram on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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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/-
29/09/2023

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

TRP

TO

- 1 THE ADDITIONAL MAHILA JUDGE
RAMANATHAPURAM.
- 2 THE INSPECTOR OF POLICE
ALL WOMAN POLICE STATION,
KEELAKKARAI,
RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-14398[I] dated 29/09/2023)

ORDER
IN

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Date :29/09/2023

PKP/DD/SAR- /04.10.2023/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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