



CRL OP(MD). No.20164 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/11/2023

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

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1. M Kalitha Parveen

2. M Kadhar Riyaz

... Petitioners/ Accused Nos.1 and 2

Vs

State rep.by

The Sub Inspector of Police,

Palani Town Police Station,

Palani,

Dindigul District.

Crime No. 500 of 2023.

... Respondent/ Complainant

For Petitioner : M/s. Kannappan.A.R,

Advocate.

For Respondent : Mr.Rms.Sethuraman,

Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 500 of 2023 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioners/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) of IPC and r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.500 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with the other accused demanded additional dowry from the defacto complainant and also harassed her. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case and also submitted that due to the family dispute, the present complaint has been given against the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioners demanded additional dowry from the petitioners and also harassed her. He further submitted that no previous case is



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pending against the petitioners.

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5. Taking into consideration the facts and circumstances of the case and also considering the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

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 of receipt of a copy of this order, 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) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners and the sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the Inspector of Police, Palladam Police Station, Palladam, daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.



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[c]the petitioners shall not tamper with the 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 petitioner is 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].

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

sd/-
09/11/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA
TO

1. The Judicial Magistrate, Palani.
2. Do Through the Chief Judicial Magistrate, Dindigul.



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3. The Sub Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.

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

+1. CC to M/S. KANNAPPAN.A.R Advocate SR.No.16114

ORDER
IN

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Date :09/11/2023

SSA/(21.11.2023)/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.