



CRL OP(MD) No.151 of 2024

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

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.151 of 2024

N.CHINNALAGU

... PETITIONER/ ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.557/2023.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.BADURUS ZAMAN.K.R Advocate

For Respondent :MR.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

PRAYER:

AB FOR ANTICIPATORY BAIL IN CRIME NO.557/2023 ON THE
FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent
police for the alleged offence under Section 174(3) of Cr.P.C. @ 306 of IPC in Crime



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No.557 of 2023, seeks anticipatory bail.

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2.The case of the prosecution is that the de-facto complainant is the father of the deceased, viz., Ambika. The marriage of the petitioner and the de-facto complainant's daughter was performed much earlier and subsequently, the petitioner went to abroad for his livelihood and in the meanwhile, at the instigation of the petitioner, the petitioner's family members harassed the de-facto complainant's daughter by demanding additional dowry. Thereby, the daughter of the de-facto complainant committed suicide by hanging herself. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and A1 and A2 were already released on bail and A3 and A4 were already granted anticipatory bail by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that at the instigation of the petitioner, the petitioner's family members harassed the de-facto complainant's daughter, due to which, she committed suicide by hanging herself. However, he strongly opposed to grant anticipatory bail to the petitioners.



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5.Considering the facts and circumstances of the case and also considering the fact that it is purely a matrimonial dispute and the co-accused were already granted bail and anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and 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 of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate Court, Natham, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank



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pass Book to ensure their identity;

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(c)the petitioner shall report before the respondent police as and when required for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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 in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
05/01/2024

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/01/2024

Sub-Assistant Registrar (C.S. -I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI



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To

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- 1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE COURT, NATHAM,
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
 - 3.THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.K.R.BADRUS ZAMAN, Advocate (SR-223[I] dated 05/01/2024)

ORDER
IN

CRL OP(MD) No.151 of 2024

Date :05/01/2024

RK/VR (09/01/2024) 5P / 6C

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