



CRL OP(MD) No.525 of 2024

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

Thursday, the Eleventh day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 SANKARESHWARI
2 KANNAN @ KAMALA KANNAN
3 PREMA LATHA ... PETITIONERS 1 TO 3/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
AWPS - ARUPPUKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT
CRIME NO.1/2024

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.M.JEGADEESAN, Advocate
For Respondent : MR.P.KOTTAICHAMY,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.1/2024 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners/ Accused Rank Not Known, who apprehend arrest at the hands
of the respondent police for the alleged offence under Sections 498(A), 294(b), 323 and
506(i) of IPC and Section 4 of the Tamilnadu Prohibition of Harassment of Women



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Act, 2002, in Crime No.1 of 2024, seek anticipatory bail.

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2.The case of the prosecution is that the first petitioner is the mother and the second petitioner is the elder brother and the third petitioner is the elder sister of A1. A1 and the defacto complainant are the husband and wife. The marriage was took place between A1 and the defacto complainant on 03.06.2022. Even though, the defacto complainant was given sufficient sridhanas at the time of marriage, A1 along with the petitioners harassed the defacto complainant by demanding additional dowry. Further, when the 1st marriage is subsisting with the defacto complainant, A1 married another lady. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that that it is a matrimonial dispute only between A1 and the defacto complainant. The petitioners herein are only in-laws of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that it is a matrimonial dispute between A1 and the defacto complainant. The investigation is not yet completed. Hence, he vehemently opposed to grant



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anticipatory bail to the petitioners.

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5. Considering the facts and circumstances of the case and also considering the facts that it is a matrimonial dispute between A1 and the defacto complainant, the petitioners herein are only in-laws of the defacto complainant and there is no serious allegation against the petitioners, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they 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 Court, 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 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 petitioners 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 second petitioner shall report before the respondent police daily at 10.30 a.m, for a period of 2 weeks and thereafter, as when required for interrogation; The petitioners 1 & 3 shall report before the respondent police as when required for interrogation;

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

(e) the petitioners 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 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]; and;

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

sd/-
11/01/2024

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/01/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, AWPS - ARUPPUKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-685[I] dated 12/01/2024)

ORDER

IN

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Date :11/01/2024

RS/JGB/SAR-(22.01.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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