



CRL OP(MD) No.965 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Twenty Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 SWEETY FLORENCE

2 DULLAS

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI CITY.
(CRIME NO.3 OF 2024)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.SAMIDURAI.K Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (CrI. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 3 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police
for the alleged offence under Sections 498A, 406 and 506(i) IPC, in Crime No.3 of



2024, seek anticipatory bail.

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2.The case of the prosecution is that the first petitioner's son namely Franklin had friendly relationship with the defacto complainant through Instagram in the month of June 2021. Thereafter, they got married on 23.08.2023 in the presence of elders as per their family customs. Thereafter, the matrimonial dispute arose between them and the petitioners harassed the defacto complainant demanding more dowry. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Further, he would submit that the first accused is studying in London. So, the defacto complainant went to London and lived with the first accused for some months. At that time, difference of opinion arose between them. So, the defacto complainant made a complaint implicating these petitioners as accused. Further, no serious allegation is made against these petitioners and the gold jewels of the defacto complainant already handed over to her. Thereby, he prays for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that till date the jewels belong to the defacto complainant were not returned by the petitioners. Hence, he 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 the petitioners are in-laws of the defacto complainant and no specific overt act 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 No.II, Madurai District, 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 pass Book to ensure their identity;

(c)the petitioners shall report before the respondent Police as and when required for interrogation,;



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(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/-
23/01/2024

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/01/2024

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

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.II
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI CITY.

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

+1 CC to M/s.K.SAMIDURAI, Advocate (SR-1022[I] dated 24/01/2024)

ORDER
IN

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Date :23/01/2024

SS/JGB/SAR- /29/01/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023