



CRL OP(MD) No.970 of 2024

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

Monday, the Twenty Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.970 of 2024

1 NAGARATHINAM

2 NATHIYA

... PETITIONER(S) / ACCUSED 3 & 4

Vs

THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION USILAMPATTI,  
MADURAI DISTRICT.  
(CRIME NO.31/2023).

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioners : Mr.C.ADHIKESAVAN, 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.31/2023 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 498(A), 406 and 506(i) of IPC, in Crime No.31 of



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2023, seek anticipatory bail.

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2. The case of the prosecution is that the first accused at the instigation of the other accused demanded more dowry from the defacto complainant and also harassed her for the same. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and it is purely a family dispute and in order to wreck vengeance, a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submitted that A1 was already arrested and remanded to judicial custody and the petitioners are the mother-in-law and sister-in-law of the de-facto complainant and the investigation in this case is in crucial stage. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the facts that the co-accused was already released on bail and no serious allegation is made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Criminal Original Petition is ordered and 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



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learned Judicial Magistrate-I, Usilampatti, 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;

(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



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the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme

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

(g)if the accused thereafter abscond, a fresh FIR can be registered under

Section 229-A IPC.

sd/-  
22/01/2024

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

CP  
TO

1 THE JUDICIAL MAGISTRATE NO.I,  
USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION USILAMPATTI,  
MADURAI DISTRICT.

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

+1 CC to M/s.C.ADHIKESAVAN, Advocate ( SR-870[I] dated 22/01/2024 )



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ORDER  
IN  
CRL OP(MD) No.970 of 2024  
Date :22/01/2024

SA/VR/SAR. /30.01.2024/5P/6C

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