



CRL OP(MD) No.1161 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1161 of 2024

NAGARAJAN

... PETITIONER/ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
VADAMADURAI,  
DINDIGUL DISTRICT.  
CR.NO.23/2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SARVAGAN PRABHU, 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 CR.NO.23/2023 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 Sections 498(A), 294(b), 323, 109 and 506(I) of IPC  
and Section 4 of Dowry Prohibition Act, 1961, in Crime No.23 of 2023, on the file of  
the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the marriage between the defacto complainant and A1 was solemnized on 22.08.2022 and at the time of marriage, the defacto complainant's family presented gold jewels and other household articles to the family of A1. After marriage, all the accused harassed the defacto complainant by demanding additional dowry. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is the father-in-law of the defacto complainant and he has not committed any offence as alleged by the prosecution and earlier, the defacto complainant preferred a complaint before the Thadikombu Police Station for the suicide committed by her father and the same was registered in Crime No.358 of 2023 for the offence under Section 174 of Cr.P.C. @ 306 of IPC against the petitioner and others and in that case, A1 was released on bail and A3 and A4 were already granted anticipatory bail by this Court. He would further submit that in order to harass the petitioner and his family members, the defacto complainant made a false complaint against the petitioner and other accused. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that all the accused harassed the defacto complainant by demanding additional dowry. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the



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facts that it appears to be a matrimonial dispute and the petitioner is the father-in-law of the defacto complainant, 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 Judicial Magistrate, Vedaesandur, Dindigul District, 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 pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;



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(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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
29/01/2024

/ TRUE COPY /

/02/2024  
Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE, VEDASANDUR, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,  
VADAMADURAI, DINDIGUL DISTRICT.



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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate ( SR-1155[I] dated 30/01/2024 )

ORDER

IN

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Date :29/01/2024

RS/JGB/SAR-(01.02.2024) 5P 6C

Madurai Bench of Madras High Court is issuing  
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