



CRL.O.P(MD)Nos.1256 and 1272 of 2024

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

Tuesday, the Thirtieth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL.O.P(MD)Nos.1256 and 1272 of 2024

ARAVIND

... PETITIONER / ACCUSED 1
IN CRL.OP(MD).1256/2024

1 PITCHAMMAL

2 PARAMASIVAM

3 MANOJ @ MANOJ VISWANATH

4 ARCHANA

5 SABABATHY @ SUDALAI

6 SHOBANA

7 MANIMARAN

... PETITIONERS / ACCUSED 2 TO 8
IN CRL.OP(MD).1272/2024

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI,
TIRUNELVELI CITY.
CRIME NO.29 OF 2023.

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS



CRL.O.P(MD)Nos.1256 and 1272 of 2024

IN BOTH PETITIONS:

For Petitioners : Mr.S.SATHYACHIDAMBARAM Advocate

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

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

COMMON PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.29 OF 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), 294(b) and 506(i) of IPC in Cr.No.29 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the husband of the first accused and the other accused are relatives of the first accused. The marriage was performed on 19.01.2017. Out of wedlock, they were blessed with a male child and thereafter, there was a matrimonial dispute arose between the parties and the accused persons have not returned the defacto complainant's jewels. Therefore, the defacto complainant filed a petition under Section 156(3) of Cr.P.C and the same was allowed. As per the direction of the learned Judicial Magistrate, the respondent police registered a case against the petitioner.



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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. He further submitted that entire jewels handed over to the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that as per the direction of the learned Judicial Magistrate, FIR has been registered against the petitioners and also submitted that during the pendency of these petitions, the entire jewels were handed over to the defacto complainant.

5. Considering the facts and circumstances of the case and also considering the fact that it is a matrimonial dispute between the first accused and the de-facto complainant and entire jewels handed over to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Criminal Original Petitions are 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 learned Judicial Magistrate No.I, Tirunelveli, Tirunelveli 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

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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 petitioner in CrI.O.P(MD).No.1256 of 2024 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 and the petitioners in CrI.O.P(MD).No.1272 of 2024 shall report before the respondent police as and when required for interrogation and

(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



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

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

sd/-
30/01/2024

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

TTA
TO
1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI,
TIRUNELVELI CITY.

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

+2 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-1141 & 1142[I] dated
30/01/2024)



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ORDER
IN
CRL.O.P(MD)Nos.1256 and 1272 of 2024
Date :30/01/2024

SA/JGB/SAR. /06.02.2024/6P/7C

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