



CRL OP(MD) No.1891 of 2024

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

Wednesday, the Seventh day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1891 of 2024

1 KARTHICK @ KARTHIK

2 NALLUSUNTHAN @ NALLASUNDAN

3 PAPPATHI

4 GEETHA

... PETITIONERS/ ACCUSED NO.1 TO 4

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ANDIPATTI, THENI DISTRICT.
CRIME NO. 02 OF 2024

... RESPONDENT/COMPLAINANT

For Petitioners : MR.C.SENTHIL MURUGAN, 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.02 OF 2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A1 to A4, who apprehend arrest at the hands of the respondent
police for the alleged offence punishable under Sections 498(A), 294(b), 406 & 506(ii)

IPC in Crime No.02 of 2024, seek anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



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2.The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife. After marriage, the petitioners harassed the defacto complainant by demanding additional dowry. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the investigation in this case is not yet completed.

5.On perusal of records reveals that there are serious allegations made as against the first petitioner. Therefore, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this criminal original petition is dismissed as against the first petitioner. However, there is no specific overt act as against the other petitioners and hence, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4.



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6. Accordingly, this criminal original petition is partly-allowed and the petitioners 2 to 4 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, Andipatti, on condition that the petitioners 2 to 4 shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties (common surety) 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 2 to 4 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 2 shall report before the respondent police daily at 10.30 a.m. until further orders and the petitioner Nos.3 and 4 shall report before the respondent Police as and when required for interrogation;



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(d)the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners 2 to 4 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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/-

07/02/2024

**(*)Amended as per the order of this Hon'ble Court in
CRL OP(MD)No.1891 of 2024 dated 27/02/2024.**

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/03/2024

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

gns
TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 07/02/2024 ALREADY
DESPATHCED**

1 THE JUDICIAL MAGISTRATE, ANDIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.



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3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, ANDIPATTI,
THENI DISTRICT.

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

+1CC TO MR.C.SENTHIL MURUGAN, Advocate IN SR.No.2521 DATED
27/02/2024

ORDER
IN
CRL OP(MD) No.1891 of 2024
Date :07/02/2024

RS/VR/SAR-(15.02.2024) 5P 5C
INDU

SS/VR/SAR-(08.03.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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