



CRL OP(MD) No.2461 of 2024

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

Friday, the Sixteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2461 of 2024

1 INFANT AJIS

2 RETHINARAJ

3 VARGHESE RANI

4 SILUVAI ANTONY REVANS

5 BABITHA

... PETITIONERS / ACCUSED NOS. 1 TO 5

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NANGUNERI,
TIRUNELVELI DISTRICT.
(CRIME NO.11 OF 2024)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.K.KEVINKARAN, Advocate

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

For Intervener: MR.N.PRAGALATHAN, Advocate

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.11 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE

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



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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), 352 and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.11 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized on 04.05.2023 and there was a matrimonial dispute between them. The petitioners harassed the defacto complainant for dowry and assaulted her. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the first petitioner is very much interested for reunion, however, the defacto complainant only left the matrimonial home and started living with her parents. Hence, he prays for grant of anticipatory bail.

4. The learned counsel appearing for the intervenor would submit that the



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petitioners joined together and harassed the defacto complainant and attacked her and thereby, the defacto complainant made a complaint before the respondent Police. Hence, he vehemently opposed for grant of anticipatory bail.

5. The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the injured was discharged from the hospital.

6. Considering the facts and circumstances of the case and the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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, Nanguneri, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two common 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:



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(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 1 and 4 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 2, 3 and 5 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 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;



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

sd/-
16/02/2024

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/02/2024

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

SSB
TO

1 THE JUDICIAL MAGISTRATE,NANGUNERI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NANGUNERI,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.K.KEVIN KARAN, Advocate (SR-2006[I] dated 16/02/2024)

ORDER
IN

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Date :16/02/2024

PKP/GS/SAR /21.02.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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