



CRL OP(MD) No.2729 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2729 of 2024

1 GOPALAKRISHNAN

2 UMA MAHESWARI

3 SOWMIYA

... PETITIONERS / ACCUSED 2 TO 4

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION - SOUTH,
MADURAI CITY,
MADURAI

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.AJMALKHAN.S.A 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. 2 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A2 to A4, who apprehend arrest at the hands of the respondent
police for the alleged offence under Sections 498A, 406 and 506(1) of IPC, in Cr.No.2



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of 2024, seek anticipatory bail.

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2.The case of the prosecution is that the marriage of the first accused and the de-facto complainant was solemnized on 05.07.2018 and after the marriage, the first accused harassed the de-facto complainant during the time of pregnancy and also demanded additional dowry. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are in-laws of the defacto complainant and they have not committed any offence as alleged by the prosecution and it is purely a matrimonial dispute between the first accused and the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that though there was a serious allegation made against the first accused/husband, no serious allegation was made against the petitioners/in-laws. However, he strongly opposed to grant anticipatory bail to the first petitioner.

5.Heard the learned counsel on either side.

6.Considering the facts and circumstances of the case and also considering the facts that no serious allegation was made against the petitioners and the petitioners are in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. Accordingly, this Criminal Original Petition is allowed 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 Judicial Magistrate Court V, Madurai, 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;



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(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;

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

sd/-
21/02/2024

/ 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 NO.V,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION - SOUTH,
MADURAI CITY,
MADURAI.

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



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

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-2189[I] dated 21/02/2024)

ORDER
IN
CRL OP(MD) No.2729 of 2024
Date :21/02/2024

SA/VR/SAR. /27.02.2024/5P/6C

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