



CRL OP(MD) No.3793 of 2024

WEB COPY

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

Monday, the Eleventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3793 of 2024

1 R.GOVINTHARAJ
2 JOTHI

... PETITIONERS / ACCUSED 2 & 3

Vs

THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
(IN CRIME NO.136 OF 2023)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SIVABALAN.K Advocate

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

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO. 136/2023 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / accused, who are apprehending arrest at the hands of the
respondent Police for the offences punishable under sections 498(A), 294(b), 324, 506

(i) IPC and Section 4 of TNPWH Act, 2002 @ Sections 498(A), 294(b), 326 and 506(i) of

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



CRL OP(MD) No.3793 of 2024

IPC and Section 4 of TNPWH Act, 2002, in Crime No.136 of 2023 on the file of the
respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of the first petitioner. After marriage, the petitioners herein and other accused have demanded additional dowry from the defacto complainant and they have also criminally intimidated her and caused grievous injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that due to the matrimonial dispute, a false case has been foisted against the petitioners. Further, the A1 was granted bail by the concerned Court in Crl.M.P.No.604 of 2024, dated 15.02.2024 on the file of the Principal Sessions Court, Ramanathapuram. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners herein have criminally intimidated the defecto complainant and caused grievous injuries and hence, he strongly, opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that A1 was released on bail by the concerned Court, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are is



CRL OP(MD) No.3793 of 2024

WEB COPY

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, Mudukulathur, Ramanathapuram 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 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 No.1 shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks, thereafter, as and when required. The petitioner No.2 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;



CRL OP(MD) No.3793 of 2024

(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;

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

sd/-

11/03/2024

/ TRUE COPY /

/03/2024

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

INDU

TO

1 THE JUDICIAL MAGISTRATE,
MUDUKULATHUR, RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

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



CRL OP(MD) No.3793 of 2024

+1 CC to M/s.K.SIVABALAN, Advocate (SR-3075[I] dated 12/03/2024)

ORDER
IN
CRL OP(MD) No.3793 of 2024
Date :11/03/2024

SA/GS/SAR. /14.03.2024/5P/6C

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