



CRL OP(MD) No.3776 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3776 of 2024

GOVINDARAJ

... PETITIONER/ ACCUSED  
(RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
MUSIRI, TRICHY DISTRICT.  
(CRIME NO.NOT KNOWN OF 2024)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.T.LENINKUMAR, Advocate  
For Respondent : MR.P.KOTTAI CHAMY, Government Advocate (Crl.Side)  
For Intervener : MR.R.MAHESWARAN, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.NOT KNOWN OF 2024 ON  
THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 498A and 506(ii) IPC in Crime No.Not Known of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant



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are husband and wife. After marriage, the petitioner developed intimacy with another woman and when the same was questioned by the same, the petitioner and his family members demanded additional dowry to continue matrimonial life with her. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to execute settlement deed in favour of his son, however, the property is not partitioned yet and thereby, he is unable to execute settlement deed. However, after partition, the petitioner will execute settlement deed in respect of share allotted to him, in favour of the petitioner's son. That apart, the petitioner will pay Rs.20,000/- as monthly maintenance to his wife and son, on or before 10<sup>th</sup> day of every English Calendar month. Accordingly, he prayed to grant anticipatory bail to the petitioner.

4.The learned counsel appearing for the intervenor has no serious objection to grant anticipatory bail, as per the undertaking given by the petitioner.

5.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner filed the present petition, at the enquiry stage. Now, FIR was registered in Cr.No.3 of 2024 for the offence punishable under Sections 498(A), 492, 294(b) and 506(ii) IPC.



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6. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Musiri on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) 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) as per undertaking given by the petitioner, the petitioner is directed to execute settlement deed, immediately after partition, in favour of his son and further, directed to pay a sum of Rs.20,000/- as monthly maintenance to the petitioner's wife and son, on or before every 10<sup>th</sup> day of every English Calendar month. If the petitioner failed to comply with these conditions, the anticipatory bail granted by this Court stands cancelled automatically.

(b) if the petitioner 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;

(c) the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d)the petitioner shall report before the respondent police as and when required;

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioner shall not abscond either during investigation or trial;

(g)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;

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

sd/-  
27/03/2024

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/04/2024

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

gns



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TO

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1 THE JUDICIAL MAGISTRATE, MUSIRI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MUSIRI,  
TRICHY DISTRICT.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate ( SR-3964[I] dated 28/03/2024 )

ORDER  
IN

CRL OP(MD) No.3776 of 2024

Date :27/03/2024

RS/VR/SAR-(17.04.2024) 5P 6C

Madurai Bench of Madras High Court is issuing  
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