



CRL OP(MD) No.4039 of 2024

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

Friday, the Fifteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4039 of 2024

1 SELVARAJ

2 INDIRA

3 GENGACHITRA

... PETITIONERS / ACCUSED NOS. 2 TO 4

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
OOMACHIKULAM,
MADURAI DISTRICT.
CRIME NO.21/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.UTHAYAKUMAR.A, 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.21/2024 ON THE FILE OF THE
RESPONDENT POLICE.



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ORDER : The Court Made the following order :-

The petitioners / Accused Nos.2 to 4, who apprehend arrest at the hands of the respondent Police for the alleged offence punishable under Sections 498(A), 323, 355, 506(i) IPC and Section 4 of Women Harassment Act in Crime No.21 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute arose between A1 and the defacto complainant, the petitioners abused the defacto complainant by using filthy language and demanded household articles from the defacto complainant. 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 are innocent persons. He would further submit that the first and second petitioners are in-laws and the third petitioner is the sister-in-law of the defacto complainant. He would further submit that there is no specific allegation made against these petitioners. Hence, he prays for anticipatory bail.

4. Heard the learned Government Advocate appearing for the respondent Police.

5. Considering the facts and circumstances and considering the fact that there is



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no specific allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 No.5, Madurai 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 petitioners are directed to appear before the respondent police as and when required for interrogation;

(d). the petitioners shall not tamper with evidence or witness either during



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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;

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

sd/-
15/03/2024

/ TRUE COPY /

/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

- 1 THE JUDICIAL MAGISTRATE NO.V
MADURAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



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- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
OOMACHIKULAM,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4039 of 2024
Date :15/03/2024

PKP/GS/SAR /21.03.2024/ 5P/5C

Madurai Bench of Madras High Court is issuing certified
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