



CRL OP(MD) No.4135 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.4135 of 2024

1 MUTHUKUMAR

2 KANNAN

3 DHANALAKSHMI

4 RAMASAMY

... PETITIONER/ ACCUSED 1 TO 4

Vs

THE SUB - INSPECTOR OF POLICE

ALL WOMEN POLICE STATION - VADAMADURAI,

DINDIGUL.

(CRIME NO. 14 OF 2023)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.C.PRITHVIRAJ, Advocate

For Respondent : MR.P.KOTTAICHAMY, Government Advocate (Crl.Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.14 OF 2023 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused Nos.1 to 4, who apprehend arrest at the hands of the respondent Police for the alleged offence punishable under Sections 498(A), 294(b),

323, 109 and 506(i) IPC in Crime No.14 of 2023, on the file of the respondent Police,

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



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seek anticipatory bail.

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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 dowry 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 petitioner is the husband and the second and third petitioners are in-laws of the defacto complainant and the fourth petitioner is the grandfather of the first petitioner. He would further submit that there is no specific allegation made against these petitioners. Hence, he prays for anticipatory bail.

4. The learned Government Advocate appearing for the respondent Police would submit that there is specific allegation made against the first petitioner / husband of the defacto complainant and there is no allegation made against petitioner Nos.2, 3 and 4.

5. It is seen in the complaint that some allegations are made against petitioner No.1, hence, this Court is not inclined to grant anticipatory bail insofar as petitioner No.1 is concerned. Accordingly, this Criminal Original Petition stands dismissed



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insofar as the first petitioner is concerned.

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6. Considering the facts and circumstances and considering the fact that there is no specific allegation made against petitioner Nos.2, 3 and 4, this Court is inclined to grant anticipatory bail to petitioner Nos.2, 3 and 4.

7. Accordingly, petitioner Nos.2, 3 and 4 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, Vendasandur on condition that petitioner Nos.2, 3 and 4 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 petitioner Nos.2, 3 and 4 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 Nos.2, 3 and 4 are directed to appear before the respondent



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police as and when required for interrogation;

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(d). the petitioner Nos.2, 3 and 4 shall not tamper with evidence or witness either during investigation or trial;

(e). the petitioner Nos.2, 3 and 4 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

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/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, VEDASANDUR.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

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3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
VADAMADURAI, DINDIGUL.

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

ORDER
IN

CRL OP(MD) No.4135 of 2024

Date :15/03/2024

RS/JGB/SAR-(21.03.2024) 5P 5C

Madurai Bench of Madras High Court is issuing
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