



CRL OP(MD) No.4540 of 2024

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

Thursday, the Twenty First day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4540 of 2024

1 KUMARALEKKAN

2 POOSAIMANI

... PETITIONERS / ACCUSED No.2 & 3

Vs

THE INSPECTOR OF POLICE
SOMARASAMPETTAI POLICE STATION,
TRICHY DISTRICT.
IN CRIME NO.65/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.ANANDAKUMAR.N Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.65/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police
for the alleged offence under Sections 294(b), 323, 506(ii), 379 of IPC and Section 4 of



CRL OP(MD) No.4540 of 2024

Women's Harassment Act @ Sections 294(b), 323, 506(i) of IPC and Section 4 of

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Women Harassment Act, in Crime No.65 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant got married with one Muruganantham and they blessed with a boy baby. After some years, there was dispute arose between the defacto complainant and her husband/first accused. While so, on 24.02.2024 at about 11.00 a.m., when the defacto complainant along with her father Rengan and her sister Ramaiyee were in their house, the petitioners and husband of the defacto complainant came to the defacto complainant's house, scolded the defacto complainant using filthy language and compelled her to sign for his second marriage and her Thali Chain was removed by him, thereafter, the petitioners attacked the defacto complainant using knife. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. The petitioners are in-laws of the defacto complainant and they are no way connected with the alleged offences. Further, the 1st accused was enlarged on bail by the concerned Court. Hence, he prays to grant of anticipatory bail to the petitioners.



CRL OP(MD) No.4540 of 2024

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4. The learned Government Advocate (Crl.Side) would submit that injured is discharged from the hospital and co-accused was enlarged on bail by the concerned Court. Hence, he has no objection to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the allegations made against the petitioners and the co-accused was enlarged 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 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 Additional Mahila Court, Trichy, 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



CRL OP(MD) No.4540 of 2024

surety bond and the Court concerned may obtain a copy of their Aadhar card or

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Bank pass Book to ensure their identity;

(c)the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks, thereafter, 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;

(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/-

21/03/2024

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/04/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

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CRL OP(MD) No.4540 of 2024

TO
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- 1 THE ADDITIONAL MAHILA JUDGE,
TRICHY.
- 2 THE INSPECTOR OF POLICE
SOMARASAMPETTAI POLICE STATION,
TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.ANANDAKUMAR, Advocate (SR-3492[I] dated 21/03/2024)

ORDER
IN
CRL OP(MD) No.4540 of 2024
Date :21/03/2024

SS/JGB/SAR- /02/04/2024/5P/5C

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