



CRL OP(MD) No.4688 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4688 of 2024

1 MUTHUKRISHNAN

2 PONNUCHAMY

3 KARUPPAYI

... PETITIONER / ACCUSED Nos. 1 to 3

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT,
CRIME NO. 8/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. MAHALAKSHMI.S Advocate

For Respondent : MR.P.KOTTAICHAMY, Govt. Advocate (CrI. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 8 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE.



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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) and 498(A) IPC r/w. Section 4 of the Dowry Prohibition Act, in Crime No.8 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized in the year 2017 and the petitioners harassed the defacto complainant demanding dowry and the first petitioner induced her into informal activity leading her to consume tablets and other allergy medications. 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 have been falsely implicated in this case. He would further submit that the first petitioner is the husband of the defacto complainant and the petitioner Nos.2 and 3 are the in-laws of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the investigation is yet to be completed.

5. Since the first petitioner is the husband of the defacto complainant and serious allegation has been made against him, this Court is not inclined to grant anticipatory bail to the first petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner Nos.2 and 3 are in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner Nos.2 and 3.

7. Accordingly, the petitioner Nos.2 and 3 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.1, Sattur, Virudhunagar District, on condition that the petitioner Nos.2 and 3 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:



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(a)if the petitioner Nos.2 and 3 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 and 3 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

(e)the petitioner Nos.2 and 3 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 petitioner Nos.2 and 3 in accordance with law as if the conditions have been imposed and the petitioner Nos.2 and 3 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:

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(g)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC;

sd/-
25/03/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SATTUR, VIRUDHUNAGAR DISTRICT.
 - 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. MAHALAKSHMI.S Advocate SR.No.15142 (F) DT: 25/03/2024

ORDER
IN
CRL OP(MD) No.4688 of 2024
Date :25/03/2024

PKP/JGB/SAR /08.04.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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