



CRL OP(MD) No.4702 of 2024

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

Tuesday, the Twenty Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4702 of 2024

1 G.RAGHURAMAN

2 P.GOVINDARAJU

3 G.PARVATHY

... Petitioners / Accused No.1 to 3

Vs

THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
RAJAPALAYAM  
VIRUDHUNAGAR DISTRICT.  
(CRIME NO.7/2024.)

... Respondent / Complainant

For Petitioners : M/s.T.Antony Arulraj, Advocate

For Respondent : Mr.P.Kottaichamy,  
Government Advocate ( Crl. Side)

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

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO.7/2024 ON THE FILE OF  
THE RESPONDENT POLICE.



**CRL OP(MD) No.4702 of 2024**

**ORDER:** The Court Made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence under Sections 498A and 406 of IPC, in Crime No.7 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife. The second and third petitioners are the parents of the first accused. After one year of their marriage, the petitioners harassed the defacto complainant demanding more dowry and for other reasons, due to which, the defacto complainant and the first petitioner were seperated. Hence, the present complainant has been filed.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution. It is a matrimonial dispute between the first petitioner and the defacto complainant. The petitioner Nos.2 and 3 are in-laws of the defacto complainant and they are no way connected with the alleged offences. Hence, So, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that it is the matrimonial dispute between the first petitioner and the defacto complainant. Further, 90 sovereigns of gold jewels, which were offered to the defacto complainant



**CRL OP(MD) No.4702 of 2024**

by her parents, was collected by the petitioners and the same was not returned to her. Hence, opposed to grant anticipatory bail to the petitioners.

5. The defacto complainant is appeared before this Court and she stated that she was offered 90 sovereigns of gold jewels at that time of her marriage and that was collected by the petitioners and the same was not returned to her and it is kept in the Bank locker. Further, the defacto complainant has no objection to grant anticipatory bail to the petitioner Nos.2 and 3, who are her in-laws and she made serious objection against the first petitioner.

6. Considering the facts and circumstances of the case and also considering the fact that it is the matrimonial dispute between the first petitioner and the defacto complainant and there is no specific overt act against the petitioner Nos.2 and 3, who are in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner Nos.2 and 3. Since the first petitioner is a husband and serious allegations are made against him, this Court is not inclined to grant anticipatory bail to first petitioner.

7. Accordingly, this petition is partly allowed. In respect of the petitioner Nos.2 and 3, this petition is allowed and in respect of the first petitioner, this petition is dismissed. 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



**CRL OP(MD) No.4702 of 2024**

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period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Additional Mahila Court, Srivilliputhur, 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:

(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 No.2 shall report before the respondent Police daily at 10.30 p.m., for a period of two weeks and thereafter, he shall report before the respondent Police as and when required. The petitioner No.3 shall report before the respondent Police as and when required;

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



CRL OP(MD) No.4702 of 2024

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trial;

(e) the petitioner Nos.2 and 3 shall not abscond either during investigation or trial;

(f) the petitioner Nos.2 and 3 shall co-operate with the respondent Police to return the sridhana articles to the defacto complainant and for reunion of the first petitioner with the defacto complainant.

(g) 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;

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

sd/-  
26/03/2024

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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.4702 of 2024

To

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- 1.The Judicial Magistrate,  
Additional Mahila Court, Srivilliputhur.
  - 2.Do through the Chief Judicial Magistrate,  
Virudhunagar District at Srivilliputhur.
  - 3.The Inspector of Police,  
All Women Police Station,  
Rajapalayam, Virudhunagar District.
  - 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.T.ANTONY ARULRAJ, Advocate ( SR-3709[I] dated 26/03/2024 )

ORDER  
IN

CRL OP(MD) No.4702 of 2024  
Date :26/03/2024

ED/ GS /SAR- (16/04/2024) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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