



CRL OP(MD).No.5128 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5128 of 2024

1. Radha
2. Selvam
3. Ilango @ Elango
4. Pavithra @ Pattu Pavithra

... Petitioners/ Accused 2 - 5

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
Cr.No.11/2024

... Respondent/Complainant

For Petitioners : Mr.C.SARAVANAKUMAR
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.11 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners, apprehending arrest at the instance of the respondent police in connection with the case in Crime No.11 of 2024 for the offence under Sections 498(A), 323, 294(b) and 506(i) IPC, have filed this petition.

2. The petitioners/A2 to A5 are in-laws of the defacto complainant. The first accused, one Sankar Selvam and the defacto complainant have studied together in a College and also married on 24.10.2021. The allegation in the complaint is that after the marriage, when she was living with the petitioners in her matrimonial home, she was abused and insulted by them, by referring to her community.

3. The case in Crime No.11 of 2024 was registered under Sections 498(A), 323, 294(b) and 506(i) IPC on 18.03.2024. When this application is taken up for hearing, the learned Government Advocate (Crl. Side), by producing an alteration report, submits that the offence under Section 3 of (x)(xi) of Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989, is also added in Crime No.11 of 2024.

4. The learned counsel appearing for the petitioners submits that due to some misunderstanding between the defeacto complainant and her husband/A1, this complaint has been lodged. The petitioners are in-laws of the defacto complainant and they have not committed any offence as alleged by the prosecution. Therefore, he

prays for grant of anticipatory bail.



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5. Considering the nature of allegations and also considering the ratio laid down by this Court, in Crl.O.P.(MD)No.17224 of 2019, dated 26.11.2019, this Court is inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners 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.V, Tirunelveli, on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli.

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. They have to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the



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prosecution witnesses.

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(v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
02/04/2024

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

OGY
TO

1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.C.SARAVANA KUMAR, Advocate (SR-4127[I] dated 03/04/2024)



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ORDER
IN
CRL OP(MD) No.5128 of 2024
Date :02/04/2024

SA/JGB/SAR. /12.04.2024/5P/6C

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