WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 04.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.5268 of 2024

1.Balaguru
2.Balamani ... Petitioners/Accused Rank Not Known

Vs

1.The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.
(In Crime No.92 of 2023)

2.The Inspector of Police,
All Women Police Station,
Sanarpatti, Dindigul District. ... Respondent/Complainant

For Petitioners : Mr.N.ANANDA KUMAR, Advocate
For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.92 of 2023 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 punishable under Sections 294(b), 323, 324, 506(ii) IPC in Crime No.92 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the

https://www.mhc.tn.gov.in/judis

WEB COPY

petitioners' son are husband and wife. After marriage, the accused persons harassed the defacto complainant by demanding additional dowry and also assaulted her.

3.The learned counsel appearing for the petitioners submits that earlier the complaint filed by the defacto complainant was closed, against which, the defacto complainant filed a petition for further investigation and the same was ordered. He further submits that the petitioners herein are only in-laws of the defacto complainant.

4.The learned Additional Public Prosecutor submits that based on the complaint given by the defacto complainant, an enquiry was conducted and the same was closed as "Mistake of fact" and thereafter, the defacto complainant filed a petition for further investigation before this Court and the same was allowed. He further submits that investigation in this case is not yet completed.

5.Considering the nature of allegations levelled as against the petitioners, this Court is inclined to grant anticipatory 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.II, Dindigul on condition that the petitioners shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two

https://www.mhc.tn.gov.in/judis

WEB COPY

sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Dindigul and on further conditions that:

i. 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;

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

iii. The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.

iv. 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/-
04/04/2024

/ TRUE COPY /

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

https://www.mhc.tn.gov.in/judis

WEB COPY

GNS

TO

1 THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DITRICT.

3 THE INSPECTOR OF POLICE,
DHADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SANARPATTI, DINDIGUL DISTRICT.

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-4150[I] dated 04/04/2024)

ORDER IN
CRL OP(MD) No.5268 of 2024
Date :04/04/2024

SA/JGB/SAR. /16.04.2024/4P/6C

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

https://www.mhc.tn.gov.in/judis