



CRL OP(MD). No.5445 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5445 of 2024

1. S Pavithran

2. Sujatha

3. Sivakumar

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Fort All Women Police Station,
Trichy City,
Trichy.
Cr.No.5/2024.

... Respondent

For Petitioners : Mr.S.S.Kumar, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

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



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PRAYER :-

For Anticipatory Bail in Crime No. 5/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.5 of 2024, for the offence punishable under Sections 498(A) and 406 IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the accused persons have harassed the defacto complainant, who is the wife of first petitioner and driven her out from the matrimonial home. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Due to matrimonial dispute, a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that in this case, investigation is yet to be completed.

5. It appears that it is a matrimonial dispute. Considering the nature of offence, this Court referred the matter for mediation. The learned Senior Counsel has mediated the parties and on his intervention, both parties have amicably resolved their issue and agreed to live together. Considering the aforesaid development, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned Judicial Magistrate on condition that

(i) the petitioners shall 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, Additional Mahila Court, Trichy;

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



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proof of their residence address;

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(iii) The petitioners shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation;

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses;

(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/-
25/04/2024

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/05/2024

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

PNM

TO

1. THE JUDICIAL MAGISTRATE, ADDITIONAL MAHILA COURT, TRICHY;

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

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



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3. THE INSPECTOR OF POLICE,
FORT ALL WOMEN POLICE STATION,
TRICHY CITY,
TRICHY.

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

+1 CC to M/s.S.S.KUMAR, Advocate (SR-4905[I] dated 25/04/2024)

ORDER
IN
CRL OP(MD) No.5445 of 2024
Date :25/04/2024

RK/VR (02/05/2024) 5P / 6C

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