



CRL OP(MD). No.6306 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6306 of 2024

V.Deepan

... Petitioners/ Accused No.1

Vs

The Inspector of Police,
AWPS Police Station,
Sivagangai
(02/2019).

... Respondent/Complainant

For Petitioner : Mr.A.Mohamed Ismail, 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. 02 of 2019 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent



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Police, in connection with a case in Crime No.02 of 2019, for the offence punishable under Sections 498(A), 406 and 323 IPC and Section 4 of TNPHW Act and Section 4 of the Dowry Prohibition Act, 1961, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 05.04.2018 the petitioner and his parents demanded more dowry from the defacto complainant, abused her and also they drove her out of the matrimonial home. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The defacto complainant is the wife of the petitioner. Owing to matrimonial dispute between the parties, a false case has been foisted against him and his parents. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that in this case, final report has already been filed and the same is taken on file by the learned Judicial Magistrate No.I, Sivagangai District.

5. Considering the facts and circumstances of the case, it being a



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matrimonial dispute and filing of the final report, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his 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 petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Sivagangai.

(ii) The petitioner 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 petitioner shall appear before the respondent police for a period of three weeks daily at 10.30a.m., and thereafter, shall appear before the respondent Police as and when required for interrogation. The petitioner has to co-operate for the trial.

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



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

(vi).The respondent police is directed to refer the matter to a Mediator or Social Welfare Officer to find out the possibility for amicable settlement between the petitioner and the defacto complainant;

sd/-
24/04/2024

/ TRUE COPY /

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

PNM

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SIVAGANGAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
AWPS POLICE STATION, SIVAGANGAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.A.MOHAMED ISMAIL, Advocate (SR-4808[I] dated 24/04/2024)

ORDER
IN
CRL OP(MD) No.6306 of 2024
Date :24/04/2024

SS/GS/SAR- /30/04/2024/5P/6C

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