



CRL OP(MD).No.5693 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Yabaze
2. Thomas Jebasingh
3. Anbukkarisi
4. Ruth Kirubha
5. Ravikumar
6. Esther Beulah

... Petitioners/ Accused 1 to 6

Versus

1. The Sub Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli City,
Tirunelveli District.
Cr.No.13 of 2024

... Respondent/ Complainant

2. Merish

... Respondent/ Defacto Complainant

For Petitioners : M/s.R.Jegatheeswari
Advocate

For R1 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For R2 : Mr.Jeyaram Sidharth, Advocate



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

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PRAYER :-For Anticipatory Bail in Crime No.13 of 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.13 of 2024, for the offence under Sections 498(A) and 341 of IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized on 25.10.2023. After the marriage, all the petitioners harassed her by demanding more dowry. Subsequently, she got conceived. Even at that time also, the petitioners tortured her and refused to give food to her. Unable to bear the same, she went to her parental home. In the meantime, the petitioners tried for second marriage to the petitioner. On knowing the same, the defacto complainant went to the matrimonial house and requested the petitioners to permit her to live along with the first petitioner. But, they refused the same, abused her in filthy language and also threatened her with dire consequences. Hence, the complaint.

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. He further submits that the first petitioner and the defacto



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complainant are living separately and the petitioners 2 to 6 are not having any connection with their day-to-day matrimonial affairs, however, they have been roped as accused in this case. Since this complaint is a foisted one, he prays for grant of anticipatory bail to the petitioners.

4. Considering that it is a matrimonial dispute, this Court, by order dated 15.04.2024, referred this matter for mediation and also appointed an Advocate Mr.Subramanian, as Mediator to solve the issue amicably between the parties.

5. Today, the first petitioner and the defacto complainant are present before this Court. The defacto complainant submits that the petitioners have returned all the jewels to her. She further submits that they are not willing to live together and they are going for mutual divorce.

6. Considering the nature of offence and also considering the statement of the defacto complainant that the petitioners have returned all the jewels to her, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is ordered 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 on condition that

(i) the petitioners executes a bond for a sum of Rs.25,000/- (Rupees



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Twenty Five Thousand)each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, 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 a.m. for a period of two weeks and thereafter, as and when required. 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/-
20/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

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

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

ORDER

IN

CRL OP(MD) No.5693 of 2024

Date :20/06/2024

SA/VR/SAR. /02.07.2024/5P/5C

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