



CRL OP(MD).No.6371 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6371 of 2024

Naveen Kumar

... Petitioner/ Accused No.1

Versus

The State Rep. by
The Inspector of Police,
All Women Police Station -
Cantonment,
Trichy District.

... Respondent/Complainant

For Petitioner : Mr.S.Muthumalairaja
Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

Mediator : Mr.R.L.Dhilipan Pandian
Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.6 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in



CRL OP(MD).No.6371 of 2024

connection with a case in Crime No.6 of 2024, for the offence under Sections 498(A) and 406 of IPC and Section 4 of Dowry Prohibition Act, 1961, has filed this petition seeking anticipatory bail.

2. The petitioner is the husband of the defacto complainant. The case of the prosecution is that the marriage between the petitioner and defacto complainant was solemnized in the year 2022. At the time of their marriage, since the defacto complainant's parents died, her sister gave 28 ½ sovereigns of gold and other household articles. However, the petitioner and his family members harassed the defacto complainant stating that her sister gave only 4 ½ sovereigns instead of 5 sovereigns. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is working as Customer Service Representative in the State Bank of India at Trichy and the defacto complainant is working as Office Assistant in the Sales Tax Office at Coimbatore. Due to their work position, they were living separately and they met once in a week. He further submitted that since the defacto complainant has voluntarily left the matrimonial home, the petitioner has filed a petition for restitution of conjugal rights, before the Family Court, Trichy, in H.M.O.P.No.69 of



CRL OP(MD).No.6371 of 2024

2023. Pending this petition, the defacto complainant has also agreed to live along with the petitioner. Based on that statement, enquiry was closed. But, on the next day, the defacto complainant gave another complaint. Hence, the petitioner is before this Court.

4. Considering the fact that it is a matrimonial dispute, this Court, by order dated 25.04.2024, appointed Mr.Dilipan Pandian, learned counsel, as Mediator. Today, Mr.Dilipan Pandian, learned counsel, who was appointed as Mediator, has filed a report stating that the difference between the petitioner and the defacto complainant cannot be sorted out.

5. Considering the nature of offence and also considering the fact that it is a matrimonial dispute and the petitioner is working as Customer Service Representative in the State Bank of India at Trichy and also considering the report of the Mediator, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of arrest or on his 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



CRL OP(MD).No.6371 of 2024

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(i) the petitioner executes 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, Additional Mahila Court, Trichy District.

(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 as and when required for interrogation. He has 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 prosecution witnesses.

(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.

sd/-

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

OGY



CRL OP(MD).No.6371 of 2024

TO
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- 1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, TRICHY DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, CANTONMENT,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.MUTHUMALAI RAJA, Advocate (SR-6540[I] dated 14/06/2024)

ORDER

IN

CRL OP(MD) No.6371 of 2024

Date :14/06/2024

SS/JGB/SAR- /25/06/2024/5P/6C

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