



CRL OP(MD).No.6680 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.6680 of 2024

Thangavel

... Petitioner/ Accused No.1

Versus

The Inspector of Police,
AWPS - Alangulam Police Station,
Tenkasi District.
Crime No.23 of 2023

... Respondent/Complainant

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

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

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2023 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 connection with a case in Crime No.23 of 2023, for the offence under Sections 498(A), 294(b) and 323 of IPC, has filed this petition seeking anticipatory bail.



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2. The petitioner is the husband of the defacto complainant. The case of the prosecution is that the petitioner harassed the defacto complainant by demanding more dowry.

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. However, this false complaint has been foisted against the petitioner. He further submitted that due to some misunderstanding, the defacto complainant left the matrimonial house and now, she is living with her parents along with her two children. Therefore, he prayed for grant of anticipatory bail to the petitioner.

4. Considering the fact that it is a matrimonial dispute and also considering the submissions made by the learned counsel for the petitioner, this Court, by earlier order dated 30.04.2024, directed the respondent Police to refer the parties to the concerned Social Welfare Officer and to file a report of the Social Welfare Officer.

5. Pursuant to the direction of this Court, the respondent Police ought to have informed the concerned Social Welfare Officer and arranged the parties to appear before the Social Welfare Officer. But, it appears that the respondent Police has not taken any initiative to refer the parties before the concerned Social Welfare Officer.

6. Considering the attitude of the respondent Police neither taking any steps to conduct investigation in this matter nor referring the parties before the concerned



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Social Welfare Officer, this Court is inclined to grant anticipatory bail to the petitioner, instead of keeping this matter pending before this court and also as no purpose would be served in adjourning the matter again and again, for amicable settlement between the parties.

7. 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

(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, Alangulam, Tenkasi 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 daily at 10.30 a.m. for a period of two weeks and thereafter, 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



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police shall move an application for cancellation of the anticipatory bail.

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

OGY
TO

1 THE JUDICIAL MAGISTRATE, ALANGULAM, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, AWPS - ALANGULAM POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.M.SANKAR, Advocate (SR-6619[I] dated 18/06/2024)

ORDER IN
CRL OP(MD) No.6680 of 2024
Date :14/06/2024

RS/VR/SAR-(21.06.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
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