



CRL OP(MD). No.6380 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.6380 of 2024

1. Abdul Salam

2. Dilshath Begum

3. Shanavas

4. Shariyaz

5. Roshini @ Vajitha Begam

... Petitioners/ Accused Nos.2 to 6

Vs

The Inspector of Police,
Srirangam AWPS, Trichy
Cr. No. 26/2023.

... Respondent/Complainant

For Petitioners : M/s. Jinnah.S.M.A, 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. 26 of 2023 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.26 of 2023, for the offence punishable under (*)**Section 406 and 498(A) IPC**, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that A1 and his relatives, who are the petitioners herein harassed the defacto complainant. 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. The petitioners are the in-laws of the defacto complainant. Owing to a matrimonial dispute between the parties, a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that in this case, there was a matrimonial dispute between the defacto complainant and her husband. In this case, investigation is yet to be completed.



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5. Considering the facts and circumstances of the case and the nature of dispute between the parties, 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, Tiruchirapalli;***

(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 10.30a.m., for a period of two weeks, and thereafter, shall appear before the respondent Police as and when required for interrogation. They have to co-operate for the trial;

(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;



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(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.*

(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 defacto complainant and her husband.

sd/-

25/04/2024

**(*)CORRECTED AS PER THE ORDER OF THIS
HON'BLE COURT in CRL OP(MD)NO.6380 of
2024 dated 26/07/2024.**

/ TRUE COPY /

/08/2024

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

PNM

TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 25/07/2024 ALREADY
DESPATCHED**

1 THE JUDICIAL MAGISTRATE

ADDITIONAL MAHILA COURT, TIRUCHIRAPPALLI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE

SRIRANGAM AWPS, TRICHY



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

ORDER
IN
CRL OP(MD) No.6380 of 2024
Date :25/04/2024

SS/JGB/SAR- /30/04/2024/5P/5C

JBR
SS/VR/SAR- /14/08/2024/5P/5C

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