



CRL OP(MD). No.6655 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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1. P Kannadasan,

2. M.Devi Bala Vasuki,

3. Rajendra Prabhu,

4. Pappa,

... Petitioners/ Accused Nos.1 to 4

Vs

The Inspector of Police,
All Women Police Station,
Thiruverambur,Trichy District.
Crime No.24/2023).

... Respondent/Complainant

For Petitioner : Mr.M. Ramkumar, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.24/2023 on the file of the Respondent Police.



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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.24 of 2023, for the offence punishable under Sections 498(A), 494, 294(b), 120B, 306, 323, 420 and 506(ii) IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act @ into Sections 120 B, 294(b), 323, 420, 494, 498(A), 109, 506(ii) I.P.C r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners 3 and 4 are brother and mother of the first petitioner. The defacto complainant, a widow, married the first petitioner and out of their wedlock, they had a male child. While so, the first petitioner, in support of the respondent 3 and 4, married the second petitioner and they had a child. The allegation as against the petitioners 3 and 4 is that they harassed the defacto complainant by demanding more dowry, assaulted her with a wooden log and drove her out from the matrimonial house. The allegation as against the second petitioner is that she came to the house of the defacto complainant and gave life threat. Hence, the complaint.

3.The learned counsel for the petitioners would submit that insofar as the first petitioner / A1 is concerned, who is the husband of the defacto complainant, he seeks



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permission of this Court not press of this Petition. He has also made an endorsement to that effect.

4. Recording the submission of the learned counsel for the petitioners, this Petition is dismissed as not pressed as far as the first petitioner / A1 is concerned.

5. With regard to the other petitioners, viz., the petitioners 2 to 4 , the learned counsel for the petitioners submits that the petitioners 2 to 4 are only in-laws and they are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners 2 to 4.

6.The learned Government Advocate (Crl.Side) would raise serious objections and submit that the investigation is pending.

7.Considering the facts and circumstances of the case and also considering the facts that the petitioners 2 to 4 are in-laws and no previous case is pending against her, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 with certain conditions.

8.Accordingly, the petitioners 2 to 4 are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court, Trichy, Trichy District, on condition that the petitioners 2 to 4 shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to



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the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 2 to 4 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners 2 to 4 shall report before the respondent police weekly once, ie. on every Saturday at 10.30 am until further orders;

(c) the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 2 to 4 shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section



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9. In the result, this Criminal Original Petition is partly allowed.

sd/-
11/07/2024

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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 ADDITIONAL MAHILA JUDGE
TRICHY, TRICHY DISTRICT.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUVERAMBUR,
TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.RAMKUMAR, Advocate (SR-7835[I] dated 12/07/2024)

ORDER
IN
CRL OP(MD) No.6655 of 2024
Date :11/07/2024

PKP/GS/SAR /22.07.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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