



CRL OP(MD). No.6759 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Veeramukilan.M,

2. Ramamirtham

3. Thanalakshmi

4. Elan Sekaran

5. Umasri,

... Petitioners/ Accused 1,2,5,6,7

Vs

The Inspector of Police,
All Women Police Station, Pattukottai,
Tanjore District.
Crime No.03/2024.

... Respondent/ Complainant

For Petitioner : M/s. Maharaja.M,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)



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

PRAYER :-

For Anticipatory Bail in Crime No.03 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 Crime No.03 of 2024 for the offence under Sections 147, 498(A), 406 and 420 of IPC, have filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the first petitioner is the husband and the other petitioners are in-laws of the defacto complainant. Due to matrimonial dispute, the petitioners and other accused caused cruelty and also cheated her. Hence, the case.

3.The learned counsel for the petitioners submits that the first petitioner is the husband of the defacto complainant; the second petitioner is the mother of the first petitioner; the third petitioner is the sister of the first petitioner; the fourth petitioner



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is the husband of the third petitioner; and the fifth petitioner is the daughter of the petitioners 3 and 4. The marriage between the first petitioner and the defacto complainant was solemnized in 2018 and after marriage, they were living together in Singapore. The first petitioner was diagnosed as HIV positive and therefore, the defacto complainant has left the matrimonial house. He further submits that the defacto complainant has also taken advantage of the first petitioner's illness and withdrawn the amount from the bank to the tune of Rs.75,00,000/- and returned India. He further submits that the defacto complainant has also lodged a complaint before the All Women Police Station, Pattukottai, which is registered in C.S.R.No.486 of 2023 and the same is also referred to the District Social Welfare Officer, Thanjavur. The District Social Welfare Officer, Thanjavur, after conducting an enquiry, gave a report in Na.Ka.No.112/A4/2024, dated 17.01.2024, that there is no dowry harassment. Thereafter, the defacto complainant lodged a private complaint under Section 156(3) of Cr.P.C. before the learned Magistrate and based on the direction issued by the learned Magistrate, the present case has been registered against the petitioners.

4.Considering the rival submissions made, this Court by an order dated

30.04.2024 referred the matter to the respondent police with a direction to refer the

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parties to the District Social Welfare Officer.

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5.In pursuance of the same, the learned Government Advocate (Crl. side) has not filed any report on whether the parties have been referred to the Social Welfare Officer.

6.The learned counsel for the petitioners has produced the medical records about the first petitioner as an HIV patient.

7.Considering the above facts and circumstances of the case and also considering the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioners.

8.Accordingly, this Criminal Original Petition is allowed 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 Court, Pattukkottai, on condition that 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 Magistrate



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concerned and on further conditions that:

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(i)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;

(ii)The petitioners shall appear before the respondent police as and when required for interrogation.

(iii) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(iv)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/-
07/06/2024

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/06/2024

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

SJI

TO

1. The Judicial Magistrate Court, Pattukkottai.

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2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.

3. The Inspector of Police,
AWPS Pattukottai, Tanjore District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SELVAKUMAR, Advocate (SR-6240[I] dated 07/06/2024)

ORDER
IN

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Date :07/06/2024

RK/GS (14/06/2024) 6P / 6C

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