



CRL OP(MD). No.6952 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/05/2024

PRESENT

THE HON'BLE MRS JUSTICE L.VICTORIA GOWRI

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1 Ruby @ Ruby Priyadarshini
2 Arumugam
3 Nachammal

... Petitioners/ Accused Nos.2 to 4

Vs

The Inspector of Police,
AWPS Jeeyapuram Police Station,
Trichy District.
(Crime No.8 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Ramsundarvijayraj, Advocate.

For Respondent : Mrs.M.Aasha, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER :-

For Anticipatory bail in Crime No.8 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A2 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A), 494, 506(1) of IPC, in Crime No.8 of 2024, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that A1 and the defacto complainant are the husband and wife. The first petitioner is the second wife of A1. The petitioners 2 & 3 are the parents of A1. The defacto complainant is working as Accountant in EB and A1 is working in a Private Limited Company. They loved each other and performed their marriage in Register Office. They have a male child aged about 12 years. Recently, the defacto complainant came to know that A1 married another woman namely, the first petitioner and they have a female child. When the same was questioned by the defacto complainant, A1 along with other accused harassed the defacto complainant. Further, they abused her in filthy language and threatened her with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners 2 & 3 are the in-laws of the defacto complainant and they are living at Nallamanayakkanpatti, Manapparai, Trichy. The first petitioner is living at Notchi Medy, Manapparai. The defacto complainant and A1 are living at Vasan Velley, Rettai Vaikkal, Trichy. All are living at Separate place. Hence, there is no offence as alleged by the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the



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respondent police would submit that A1 married the first petitioner. When the same was informed to the petitioners 2 & 3, instead of warning A1, they abused the defacto complainant in filthy language and A1 along with the petitioners harassed the defacto complainant and tried to kill her. Hence, the defacto complainant lodged a complaint against the accused persons. Hence, he vehemently, opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, 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 Additional Mahila Court, Trichy District, on condition that the petitioners 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 the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when



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required for interrogation.

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[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners 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 in accordance with law as if the conditions have been imposed and the petitioners are 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].

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/05/2024

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/06/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDGE, ADDITIONAL MAHILA COURT, TRICHY DISTRICT.

2 THE INSPECTOR OF POLICE, AWPS JEEYAPURAM POLICE STATION,
TRICHY DISTRICT.



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

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-5921[I] dated 29/05/2024)
ORDER
IN
CRL OP(MD) No.6952 of 2024
Date :29/05/2024

RS/VR/SAR-(04.06.2024) 5P 5C
Madurai Bench of Madras High Court is issuing
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