



CRL OP(MD). No.7373 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2024

PRESENT

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

CRL OP(MD). No.7373 of 2024

Ramkumar,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thadikombu Police Station,
Dindigul District.
Crime No.362/2023.

... Respondent/Complainant

For Petitioner : S.Sarvagan Prabhu,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.362 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 petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 323 and 506(1) of IPC of IPC, in Cr.No.362 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are the husband and wife. The petitioner and his family members harassed the defacto complainant by demanding additional dowry. Hence, the complaint.

3.The learned counsel for the petitioner would submit that that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that by the order dated 22.05.2024, interim bail was already granted to the petitioner by referring the matter to the mediation. The mediation is under processed. Further, the co-accused were already released on bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is still pending. However, he fairly conceded that the co-accused were already released on bail.



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5.Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court, Dindigul District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner 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 petitioner shall report before the respondent police weekly once i.e., every Saturday at 10.30 a.m, until further orders;



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(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/07/2024

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

DSS



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TO
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- 1 THE JUDGE
ADDITIONAL MAHILA COURT
DINDIGUL DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
- 3 THE INSPECTOR OF POLICE
THADIKOMBU POLICE STATION,
DINDIGUL.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-7936[I] dated 15/07/2024)

ORDER
IN
CRL OP(MD) No.7373 of 2024
Date :15/07/2024

RE/VR (23/07/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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