



CRL OP(MD). No.7409 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.7409 of 2024

1. S.J.Sathiyanantham,

2. John Berkmanse,

3. Arockia Marry,

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
All Women Police Station,
Sanarpatty,
Dindigul District.
Cr.No.21/2024.

... Respondent/Complainant

For Petitioner : M/s.Senthil.D,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

For Intervenor : Mr.R.Baskaran,
Advocate.



CRL OP(MD). No.7409 of 2024

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

WEB COPY
PRAYER :-

For Anticipatory Bail in Crime No. 21/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1 to A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406, 294(b) & 506(i) of IPC, Section 4 of Dowry Prohibition Act and Section 4 of TNPHW Act, in Cr.No.21 of 2024, seeks anticipatory bail.

2. Since it is a matrimonial dispute between the first petitioner and the defacto complainant, by the order dated 22.05.2024, this Court referred the matter to the Mediation and Conciliation Centre attached to this Bench and granted interim anticipatory bail to the petitioners till such time.

3.Today, when the matter is taken up for hearing, the learned counsel on either sides would submit that during the course of mediation, the matter was compromised between the parties on the basis of the following terms of agreement.

“6. a) The first petitioner / Husband agreed to return the jewel of 16.4 sovereigns to the intervener / wife on 24.07.2024 and the and the same is received by the intervener / wife.



CRL OP(MD). No.7409 of 2024

WEB COPY

b) The first petitioner / Husband agreed to pay a sum of Rs.50,000/- towards utensils to the intervener / wife and the same is received by the intervener / wife in cash.

c) Both the parties agreed to file a compromise quash petition before this Court for quashing FIR in Crime No.21 of 2024 on the file of the Sanarpatti All Women Police Station, Dindigul District.

d) Both the parties agreed to file mutual divorce petition before the competent Court.

e) The petitioner agreed to withdraw the Divorce Petition in I.D.O.P.No.439 of 2024 pending on the file of the Family Court, Madurai.”

4.In view of the compromise reached between the parties on the basis of the above said terms of agreement, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners 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 learned Judicial Magistrate No.II, Dindigul, 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:



CRL OP(MD). No.7409 of 2024

WEB COPY

(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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with 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 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;



CRL OP(MD). No.7409 of 2024

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section
229-A IPC.

sd/-

25/07/2024

/ TRUE COPY /

/ /2024

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

TO

- 1 THE JUDICIAL MAGISTRATE
NO.III DINDIGUL.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SANARPATTY,
DINDIGUL DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.SENTHIL.D Advocate SR.No.8852

ORDER

IN

CRL OP(MD) No.7409 of 2024

Date :25/07/2024

MGJ/GS/06.08.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.
<https://www.mhc.tn.gov.in/judis>