



CRL OP(MD). No.7634 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.05.2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

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1.Subramanian

2.Thenmozhi

... Petitioners/ Accused Nos.2 and 3

Vs

The Inspector of Police,
AWPS-Uthamapalayam,
Theni District.
Crime No.12 of 2024.

... Respondent/Complainant

For petitioners : Mr.M.PITCHAI MUTHU
Advocate.

For Respondent : Mr.M.MUTHUMANIKKAM
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.12 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

<https://www.nmc.tn.gov.in/judis> The petitioners / A2 and A3, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Sections 498(A), 406, 294(b) and 506(ii) of IPC, in Crime No.12 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused persons harassed the defacto complainant by demanding additional dowry. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and the false case has been foisted against them. He further submit that the petitioners are only in-laws of the defacto complainant with an intention to harass the petitioners, the present compliant has been given. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioners are in-laws of the defacto complainant and also submits that the petitioners harassed the defacto complainant by demanding additional dowry.

5.Considering the facts and circumstances of the case and also the fact that the petitioners are only in-laws of the defacto complainant, 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



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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, Uthamapalayam, 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 daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation.

[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 is 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].



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[f]If the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
22/05/2024

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/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA
TO

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
AWPS-UTHAMAPALAYAM,
THENI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.7634 of 2024
Date :22/05/2024

SA/VR/SAR. /27.05.2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.