



CRL OP(MD). No.8019 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/05/2024

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

CRL OP(MD). No.8019 of 2024

1. Azhaguselvi,

2. Vetriselvan,

... Petitioners/ Accused Nos.3 & 4

Vs

The Inspector of Police,
Pattukottai All Women Police Station,
Thanjavur District.
Cr.No.23/2022.

... Respondent No.1

For Petitioners : Mr.Aayiram K.Selvakumar,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 23/2022 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioners / A3 & A4, who apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A), 494, 506(i), 147 IPC and Section 4 of the Dowry Prohibition Act in Crime No.23 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute arose between the first accused and the defacto complainant, the petitioners herein, who are relatives of the first accused, demanded more dowry from the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they are relatives of the first accused. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police strongly opposes for grant of anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case and also considering the dispute is matrimonial in nature, 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 learned Judicial Magistrate, Pattukottai, Thanjavur 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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



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(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)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;

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

sd/-
29/05/2024

/ TRUE COPY /

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

TSG

TO

1. THE JUDICIAL MAGISTRATE, PATTUKOTTAI, THANJAVUR DISTRICT
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.



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3. THE INSPECTOR OF POLICE,
PATTUKOTTAI ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8019 of 2024
Date :29/05/2024

RK/GS (04/06/2024) 5P / 5C

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