



CRL OP(MD). No.9864 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/07/2024

PRESENT

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

CRL OP(MD). No.9864 of 2024

1. Lingaraja @ Lingarajan

2. Panjavarnam @ Panchavarnam

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District,
Crime No.13/2024.

... Respondent/Complainant

For Petitioner : Mr.T. Veerakumar,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PRAYER :- For Anticipatory Bail in Crime No.13/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 498A of IPC, in Crime No.13 of 2024 on the file of the respondent police, seek anticipatory bail.



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2.The case of the prosecution is that the defacto complainant is the wife of first petitioner/A1. The second petitioner is mother-in-law of the defacto complainant. There is a matrimonial dispute between the defacto complainant and A1, due to which, the petitioners demanded additional dowry. Therefore, a case has been foisted as against the petitioners.

3.The learned counsel for the petitioners would submit that insofar as the first petitioner / A1 is concerned, who is the husband of the defacto complainant, he seeks permission of this Court not press of this Petition. He has also made an endorsement to that effect.

Recording the submission of the learned counsel for the petitioners, this Petition is dismissed as not pressed as far as the first petitioner / A1 is concerned.

With regard to the other petitioner, viz., the second petitioner, the learned counsel for the petitioners submits that the second petitioner is only mother-in-law and she is an innocent person and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the second petitioner.



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4.The learned Government Advocate (Crl.Side) would raise serious objections and submit that the investigation is pending. However, he would further submit that no previous case is pending against the second petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that the second petitioner is mother-in-law and no previous case is pending against her, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions.

6.Accordingly, the second petitioner is ordered to be released on bail in the event of her arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Paramakudi, Ramanathapuram District, on condition that the second 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 learned Magistrate concerned and on further conditions that:

(a)the second 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 second petitioner shall report before the respondent police as and when required for interrogation;



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

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

7. In the result, this Criminal Original Petition is partly allowed.

sd/-

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/07/2024

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

LS



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TO
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- 1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-7426[I] dated 04/07/2024)

ORDER

IN

CRL OP(MD) No.9864 of 2024

Date :04/07/2024

SS/VR/SAR- /18/07/2024/5P/6C

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