



CRL OP(MD). No.9858 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

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1. Ramesh Kumar,

2. Viswanathan,

3. Kalaiyarasi,

4. Priyadharshini,

5. Jegathambal,

... Petitioners/ Accused Nos.1 & 5

Vs.

The Inspector of Police,
All Women Police Station,
Dindigul District.
Cr.No.11/2024.

... Respondent/Complainant

For Petitioner : Mr.T. Antony Arulraj,
Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No. 11/2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 498A, 406 and 506 (i) of IPC, and Section 4 of Dowry Prohibition Act, 1961, in Crime No.11 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the wife of first petitioner/A1.The petitioners are in-laws of the defacto complainant. There is a matrimonial dispute between the defacto complainant and A1, due to which, the petitioners abused the defacto complainant in filthy language and threatened her. 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.



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With regard to the other petitioners, viz., the petitioners 2 to 5, the learned counsel for the petitioners submits that the petitioners 2 to 5 are only in-laws and they are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

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 petitioners.

5.Considering the facts and circumstances of the case and also considering the facts that the petitioners 2 to 5 are in-laws and no previous case is pending against them, this Court is inclined to grant anticipatory bail to the petitioners 2 to 5 with certain conditions.

6.Accordingly, the petitioners 2 to 5 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 Additional Mahila Court, Dindigul, on condition that the petitioners 2 to 5 shall execute a bond for a sum of Rs.10,000/-



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(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 2 to 5 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 2 to 5 shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioners 2 to 5 shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 2 to 5 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 2 to 5 in accordance with law as if the conditions have been imposed and the petitioners 2 to 5 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(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/-
04/07/2024

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/07/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. The the Additional Mahila Judge, Dindigul,

2.The Inspector of Police,
All Women Police Station,
Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-7506[I] dated 05/07/2024)

ORDER IN
CRL OP(MD) No.9858 of 2024
Date :04/07/2024

RK/GS (18/07/2024) 5P / 5C

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