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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12022 of 2024

1.V.Hariharan,
S/o.Vasudevan

2.Vasudevan,
S/o.Ramasamy

3.V.Vallinaayagi,
W/o.Vasudevan

4.V.Kanimozhi,
D/o.Vasudevan
Vs

... Petitioners/ A1 to A4

The State of Tamilnadu,
Represented by the Inspector of Police,
All Women Police Station,
Palani,
Dindigul District
(Crime No.24 of 2024)

... Respondent/ Complainant

Geetha

... Intervent Petitioner/
Defacto Complainant

For Petitioners : Mr.C.S.Saravanan,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Crl. Side)

For Intervenor : Mr.A.R.Kannappan,
Advocate



PETITION FOR ANTICIPATORY BAIL Under Sec.482 of the Bharatiya Nagarik Suraksha Sanhita.

PRAYER :-

For Anticipatory Bail in Crime No.24 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A) and 506 (1) of IPC in Crime No.24 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners seeks permission of this Court to withdraw the present case as against the 1st petitioner/V.Hariharan/A1, who is the husband of the de-facto complainant, and he has also made an endorsement in the bundle to that effect.

3. The case of the prosecution is that the 1st petitioner is the husband of the de-facto complainant, the 2nd and 3rd petitioners are the in-laws of the de-facto complainant, and the 4th petitioner is the sister-in-law of the de-facto complainant. The petitioners had demanded dowry from the de-facto complainant and harassed her, and the 1st petitioner had been in an illegal relationship with one Sinthu/A5.

<https://www.mhc.tn.gov.in/judis>

Hence, this case.



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4. Heard the learned counsel on either side and perused the material records of the case.

5. Considering the fact that petitioner Nos.2 to 4 are only the in-laws of the de-facto complainant, I am inclined to enlarge petitioner Nos.2 to 4 on anticipatory bail.

6. Accordingly, petitioner Nos.2 to 4 are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Palani, on condition that petitioner Nos.2 to 4 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner Nos.2 to 4 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 petitioner Nos.2 to 4 shall report before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for the interrogation.

(c) the petitioner Nos.2 to 4 shall not tamper with evidence or witness either during investigation or trial;



(d) the petitioner Nos.2 to 4 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 petitioner Nos.2 to 4 in accordance with law as if the conditions have been imposed and petitioner Nos.2 to 4 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. Accordingly, this Criminal Original Petition is dismissed as withdrawn as against the 1st petitioner herein, and is allowed as against petitioner Nos.2 to 4.

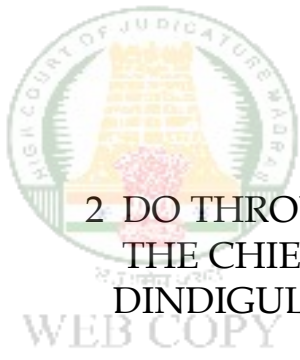
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21/10/2024

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/11/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
PALANI.



2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PALANI,
DINDIGUL DISTRICT

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

+1 CC to M/s.C.S.SARAVANAN, Advocate (SR-12966[I] dated 23/10/2024)

ORDER

IN

CRL OP(MD) No.12022 of 2024

Date :21/10/2024

MGJ(25.11.2024) 5P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023