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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19370 of 2024

Mumtaz

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
AWPS Police Station,
Nilakottai, Dindigul District.
Crime No.21/2024.

... Respondent/Complainant

For Petitioner : Mr.P. Saravanan

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent

police for the alleged offence under Sections 498(A), 294(b), 323, 313, 506(i), 109 of

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



IPC and Section 4 of TNPHW Act and Section 4 of Dowry Prohibition Act in Crime

No.21 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is the mother-in-law, ill-treated the defacto complainant and also demanded dowry.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and also considering that it is only a matrimonial dispute and the petitioner has been arrayed as A2 in her capacity as mother-in-law, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate, Nilakottai*, on condition that the 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:



[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the 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.

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner 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.

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/ /2024

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

PNM

TO

1.The Judicial Magistrate, Nilakottai.

2.Do Through
The Chief Judicial Magistrate,
Dindigul.

3. The Inspector of Police,
AWPS Police Station,
Nilakottai, Dindigul District.

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

+1. CC to M/S. SARAVANAN P Advocate SR.No.63876 dated 11/11/2024

ORDER IN
CRL OP(MD) No.19370 of 2024
Date :11/11/2024

KVL/23.11.2024 4P/6C

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