



CRL OP(MD) No.23258 of 2023

WEB COPY

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

Thursday, the Fourth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23258 of 2023

KALAIVANAN @ GOPI

... PETITIONER/ACCUSED 1

Vs

THE INSPECTOR OF POLICE
AWPS-MANAPPARAI,
TRICHY DISTRICT,
CRIME NO.15/2023

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.M.PITCHAI MUTHU, Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (CrI. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.15/2023 ON THE FILE OF
THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections 498(A), 323 and
506(i) of I.P.C., in Crime No.15 of 2023, on the file of the respondent Police, seeks
anticipatory bail.

2. The case of the prosecution is that the marriage between the petitioner
and the defacto complainant was solemnized on 19.10.2018 and due to incompatibly



CRL OP(MD) No.23258 of 2023

between the petitioner and the defacto complainant, the petitioner started harassing the defacto complainant demanding more dowry. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any such offence as alleged by the prosecution and he has been falsely implicated in this case. The learned counsel appearing for the petitioner further submit that the petitioner is ready to reunion with the defacto complainant and accordingly, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that it is a matrimonial dispute.

5. Considering the facts and circumstances of the case and considering the fact that it is purely a matrimonial dispute and also considering the fact that there may be re-union between the petitioner and the defacto complainant, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manapparai, Trichy District, 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



CRL OP(MD) No.23258 of 2023

officer who intends to arrest or to the satisfaction of the learned Magistrate concerned
and on further condition that:

(a)if the petitioner 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 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;



CRL OP(MD) No.23258 of 2023

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

sd/-
04/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

- 1 THE JUDICIAL MAGISTRATE, MANAPPARAI, TRICHY DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
AWPS-MANAPPARAI, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.23258 of 2023
Date :04/01/2024

SA/DD/SAR. /10.01.2024/4P/5C

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