



CRL OP(MD). No.23003 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.M.Monishkrishna
2.Muthumari
3.Murali
4.Balakarthick

... Petitioners 1 to 4/ Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
Puliangudi All Women Police Station,
Tenkasi.
(Crime No.27 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Saravana Kumar,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

For Intervenor : Mr.SM.Ramasiva, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.27 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/Accused 1 to 4, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 498(A), 294(b), 323, 506(2) IPC and Section 4 of the Dowry Prohibition Act, 1961 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant are the husband and wife. The accused persons after the marriage, had harassed the defacto complainant by demanding dowry. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case due to family dispute and they have not committed any offence as alleged by the prosecution. Hence, he prayed this Court to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the accused persons have harassed the defacto complainant by demanding dowry. He would fairly concede that no previous criminal case is pending against the



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petitioners and the investigation is at initial stage. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, the fact that no previous case is pending against the petitioners and there is a family dispute between the parties and DVAC proceedings is also pending before the learned Judicial Magistrate concerned, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to execute bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Tenkasi, and on further conditions that:

[b] the petitioners shall report before the respondent police every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioners shall not commit any offences of similar nature.



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[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

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/01/2025

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

TA
TO

1 THE JUDICIAL MAGISTRATE
TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.



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3 THE INSPECTOR OF POLICE,
PULIANGUDI ALL WOMEN POLICE STATION,
TENKASI.

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

+1 CC to M/s.S.SARAVANA KUMAR, Advocate (SR-15920[I] dated 27/12/2024)

ORDER
IN
CRL OP(MD) No.23003 of 2024
Date :27/12/2024

SS/SKN/SAR- /03/01/2025/ 5P/6C

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