



CRL OP(MD). No.21519 of 2024

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

Date : 20.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH  
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1.Dhilipan Sundar  
2.S.Ganesan  
3.Gandhimathi  
4.K.Harikrishnanji  
5.S.G.Ramya

... Petitioners/ Accused 1 to 5

Vs

The State of Tamil Nadu  
Represented by the Inspector of Police,  
Anna Nagar AWPS,  
Madurai City.  
(Crime No.45 of 2023)

... Respondent/Complainant

For Petitioners : Mr.A.B.Jeeva, Advocate

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

For Intervenor : Mr.Niranjan S.Kumar, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 45 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police



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for the alleged offences under Sections 498(A), 406 and 506(i) of IPC, in Crime No.45 of 2023 on the file of the respondent police, seek anticipatory bail.

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2. There was a matrimonial dispute as a result of which the complaint came to be given by the defacto complainant on the ground that her jewelry has been retained by the accused persons and she was also treated with cruelty.

3. Considering the allegations made, this Court passed the following order on 09.12.2024:-

“ When the matter came up for hearing, the learned Government Advocate (Crl.Side) submitted that in this case the investigation has been completed and a police report has already been filed before the learned Judicial Magistrate No. 4, Madurai and all the petitioners have been shown as absconding accused. He further submitted that the final report has now been taken on file in C.C. No. 2069 of 2024 and the same is pending.

2.On going through the records, it is seen that earlier the parties were referred to mediation Centre and it was claimed by the defacto complainant that totally 83 sovereigns of gold was in possession of the accused persons. Admittedly, out of 83 sovereigns, 40 sovereigns was returned back to the defacto complainant.



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3.The learned counsel for the defacto complainant submitted that if the accused persons are willing to give back the remaining gold, they will be able to come for an amicable settlement. Either the parties can decide to live together or they can dissolve the marriage by mutual consent. Therefore, it was submitted that one more chance has to be given to both A1 and defacto complainant for mediation.

4.Considering the above submission and considering the fact that matrimonial dispute is involved in this case, this Court is inclined to give one more chance to the parties to resolve their dispute amicably.

5.Hence, A1 (first petitioner) and the defacto complainant are directed to appear before the Mediation and Conciliation Centre attached to this Bench on 16.12.2024 at 03.00 p.m., and the process of mediation shall commence immediately and the report shall be filed before this Court during the next hearing date.

6.Post this case on 20.01.2025. In the meantime, this order shall be brought to the notice of the learned Judicial Magistrate No.4, Madurai and the proceedings shall be kept pending in C.C. No. 2069 of 2024 until further orders are passed by this Court.”

4. When the matter was taken up for hearing today, the mediation report was



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placed before this Court and it is informed that the parties were not able to reach any agreement.

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

6. Taking into consideration the facts and circumstances of the case and considering the fact that matrimonial dispute is involved, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.VI, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 shall report before the Court below during every date of



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hearing without fail.

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

[d] the petitioners 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 petitioner 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023. IPC.

sd/-  
20/01/2025

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/02/2025  
Sub-Assistant Registrar  
(C.S.I /II /III /IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PAL



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To சென்ட்ரல்

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1.The Judicial Magistrate No.VI,  
Madurai District.

2.Do through the Chief Judicial Magistrate,  
Madurai District.

3.The Inspector of Police,  
Anna Nagar AWPS,  
Madurai City.

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

ORDER

IN

CRL OP(MD) No.21519 of 2024

Date :20/01/2025

ED/ GSV /SAR- (05/02/2025) 6P / 5 C

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