

IN THE COURT OF VACATION SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Vacation Sessions Judge, Dindigul.**

Thursday, the 27th day of May 2021

CrI.M.P. No.1474/2021

1. Anguraja, 31/2021 S/o. Palanisamy
2. Kanagavalli, 47/2021 W/o. Palanisamy .. Petitioners/A1 and A2
/vs/

State through
Inspector of Police, Nilakottai AWPS. .. Respondent/Complainant
Cr. No.01/2021

This petition is coming on this day for hearing before me in the presence of Thiru.L.Kathiravan, Advocate for the petitioners and of Thiru. R.Manoharan, Public Prosecutor for the state are on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition filed U/s. 438 Cr.P.C. petitioners/A1 and A2 pray to grant them anticipatory bail for the offences punishable U/S. 498(A), 294(b), 494, 506(i) IPC in Cr. No.1/2021 of the respondent police. The occurrence took place on 7.3.2021.

The learned counsel for the petitioners/A1 and A2 stated that this is second petition, that A1 and A2 are son and mother, a marriage between A1 and defacto complainant Nandhini solmnised on 1.6.2014, that since the defacto complainant not conceived after medical treatment taken, there arose difference of opinion between the them, that in continuation of dispute, in the year 2017, the defacto complainant quarrelled with the petitioners and abused them in public view and with intent to insult her, she pulled the saree of A2, hence, they decided to apply divorce, enraged the defacto complainant in order to wreak vengeance, foisted this false complaint against them with false allegations, that the petitioners have no previous case, that the petitioners are belong to respectable family and they are law abiding citizens, that the investigation of the case might have been completed at this point of time, that since they have permanent abode, there is no chance for absconding, that the petitioners apprehend arrest and he prays for anticipatory bail.

The learned Public Prosecutor for the State vehemently raised objection for anticipatory bail that A1 and the defacto complainant are husband and wife, A2 is mother of A1, that the accused continuously tortured the defacto complainant demanding further dowry and driven out the defacto complainant from her matrimonial house and then A1 concealed his earlier marriage, married another woman during the life time of his wife and criminally intimidated her, hence the case.

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Online submission of either side heard. Records perused. The case of the prosecution was that the 1st petitioner/A1 already married the defacto complainant, A1 and his mother A2 were committed cruelty to her for demanding further dowry. It was alleged that the 1st petitioner/A1 got second marriage and begot a child. Considering the Pandemic situation and on considering the prevention measure of COVID-19 Pandemic and the urgent need and necessity to ensure social distancing and upon considering the facts and circumstances of the case, this Court inclines to grant anticipatory bail to the petitioners/ A1 and A2 with stringent condition. Anticipatory Bail is granted to the petitioners/ A1 and A2 on strict compliance of the following conditions.

1. The petitioners/A1 and A2 are directed to pay a sum of Rs.12,500/- each (Each Rupees Twelve Thousand and Five Hundred) as non-refundable amount, without prejudice of their rights, to the account of “Dean, Dindigul Medical College Head Quarters Hospital, Dindigul - 624 001 - **Account No.5616101004223 / IFSC Code No.CNRB0005616 (Canara Bank, Salai Road, Dindigul Branch) on or before 03.06.2021** for Corona Relief Activities. The Hospital Authorities are instructed to utilize the said amount to improve the infrastructure facilities of the hospital.
2. The petitioners/ A1 and A2 shall in the event of arrest by the respondent police or their surrender before the learned Judicial Magistrate, Nilakottai **in between the period from 19.07.2021 to 2.8.2021** be released on bail on production of acknowledgement for payment and on executing their own bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Magistrate without fail, failing which the anticipatory bail shall stands cancelled automatically.
3. The petitioners/ A1 and A2 shall make themselves available for interrogation by the police officer as and when required.
4. The petitioners/ A1 and A2 shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
5. The petitioners/ A1 and A2 shall not leave the town without prior permission of the court.
6. The petitioners/ A1 and A2 shall not tamper with evidence or witness either during investigation or trial.
7. The petitioners/ A1 and A2 shall not abscond either during investigation or trial.

Pronounced by me, this the 27th day of May 2021.

Sd/- M.K.Jamuna
Vacation Sessions Judge,
Dindigul

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- Since this bail order is electronically generated, does not require signature and court seal.
- This order is available in E-Courts Official Web Site,
" https://districts.ecourts.gov.in/case_status/case_number"

Copy to

The Judicial Magistrate, Nilakottai

The Public Prosecutor, Dindigul.

The Inspector of Police, Nilakottai AWPS.,

Thiru.L.Kathiravan, Advocate
for the petitioners.

To ensure social distancing, they are requested to
download the order from the official web site link.