

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

PRESENT: Selvi. M.K. Jamuna, M.L.,

Principal Sessions Judge, Dindigul.

Thursday, the 12th day of August 2021

CrI.M.P. No.2455/2021

CNR No.TNDG01-003694-2021

1. Rajeshwaran, 31/2021 S/o. Rajamanickam
2. Rajamanickam, 57/2021 S/o. Rathinagiri Naidu
3. Jeyalakshmi, 52/2021 W/o. Rajamanickam : Petitioners/A1 to A3

/vs/

State through

Inspector of Police, Dindigul AWPS.,

Cr. No. 21/2021

: Respondent/Complainant

This e-bail petition is coming on this day for hearing before me in the presence of Thiru.J.Maria Nelson, Advocate for the petitioners and of Thiru. R.Manoharan, Public Prosecutor for the state 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 of Cr.P.C. The petitioners/A1 to A3 pray to grant them anticipatory bail for the offences punishable U/S. 294(b), 323, 498(A) IPC and Section 4 of Dowry Prohibition Act in Cr.No.21/2021 of respondent police. The occurrence took place on 17.6.2021.

The learned counsel for the petitioners/A1 to A3 would contend that the petitioners 1 to 3 are husband, father-in-law and mother-in-law of the defacto complainant, that the real fact is that after she begot a female child, the defacto complainant has not take care of her child and her husband, that she spent more time with her cell phone and she is a tik tok addict, when the same was questioned by the 1st petitioner and his parents, enraged the defacto complainant, foisted this false complaint with false allegations, that the injured was discharged from the hospital, that the petitioners belong to respectable family and they are law abiding citizens and they are ready to abide any condition imposed by the Hon'ble Court, that the petitioners hereby undertakes that they will not abscond and will not tamper any witness and that the petitioners apprehend for arrest and he prays for anticipatory bail.

The learned Public Prosecutor has vehemently objected for anticipatory bail by stating that with the consent of parents of both, the marriage between the defacto complainant and the A1 was held on 14.2.2016, out of wedlock, she begot a female child, that with the instigation of A2 and A3, her husband A1 continuously demanded dowry and assaulted her and finally, they drove out her from her matrimonial house, hence the case. However, he has conceded that injured was discharged from the hospital.

Online submission of either side heard. Records perused. The case of the prosecution was that the petitioner/A1 is the husband and A2 and A3 are parents of A1, on the instigation of his parents, A1 committed cruelty demanding dowry continuously and finally on 17.6.2021, they threatened her demanding Rs.1 lakh cash and 15 sovereigns of jewels. The marriage between the defacto complainant and A1 was held on 14.2.2016, out of her wedlock a female child was born. Considering the facts and circumstances of the case and also the facts that except the offences u/s. 498(A) IPC and Section 4 of Dowry Prohibition Act, other offences are bailable in nature, this Court inclines to grant anticipatory bail to the petitioners/A1 to A3 with condition. Anticipatory Bail is granted to the petitioners/A1 to A3 on strict compliance of the following conditions.

1. The petitioners/A1 to A3 shall in the event of arrest by the respondent police or their surrender before the learned Judicial Magistrate, Additional Mahila (J.M. Level) Court, Dindigul within 15 days from the date of this order, be released on bail 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 Judicial Magistrate, Additional Mahila (J.M. Level) Court, Dindigul.
2. The petitioners/A1 to A3 are directed to appear and sign before the respondent police station daily at 10.00 a.m. until further orders.
3. The petitioners/A1 to A3 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.
4. The petitioners/A1 to A3 shall make themselves available for interrogation by the police officer as and when required.
5. The petitioners/A1 to A3 shall not tamper with evidence or witness either during investigation or trial.
6. The petitioners/A1 to A3 shall not abscond either during investigation or trial.
7. The petitioners/A1 to A3 shall not leave the town without prior permission of the court.

Pronounced by me, this the 12th day of August 2021.

**Principal Sessions Judge,
Dindigul**

- Since this order is electronically generated, and issued with digital Signature.
- This order is available in E-Courts Official Web Site,
"https://districts.ecourts.gov.in/case_status/case_number"

Copy to

The Additional Mahila Court, Dindigul (JM Court Level)
The Public Prosecutor, Dindigul.

The Inspector of Police, Dindigul AWPS.,

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

Thiru.J.Maria Nelson, Advocate for the petitioners.