

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.14811 of 2018

1 T.MURALI KRISHNA [PETITIONERS / ACCUSED]
2 T.SRINIVAS
3 T.SREE DEVI

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
W-24 ALL WOMEN POLICE STATION,
TEYNAMPET, CHENNAI
CR.NO.03 OF 2018.

For Petitioner : M/S.V.KANNADASAN Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners seek anticipatory bail in Crime No.03 of 2018 registered by the respondent police for the offence punishable under Sections 498(A) of IPC.

2. The case of the prosecution as per the *de facto* complainant Mona Mehavarthe is that she got married with the first petitioner on 05.08.2016 and at the time of marriage an amount of Rs.10,00,000/- was spent for the marriage. The further allegation is that demanding more money, the petitioners had driven her out from the matrimonial home.

3. The learned counsel for the petitioners would submit that the marriage between the first petitioner and the *de facto* complainant took place on 05.08.2016 and thereafter, within one month of marriage, the *de facto* complainant deserted the first petitioner, creating various problems. He would submit that the first petitioner has also filed a petition for divorce in O.P.No.4062 of 2016, which is pending before the Family Court. He would submit that the *de facto* complainant has also filed a proceedings under the Domestic

Violence Act against the petitioners herein and a case has been registered on the directions of this Court. He would submit that the first petitioner is working as a pilot trainee and the *de facto* complainant is a Air Hostess, due to incompatibility, she has gone away and given a false complaint against the petitioners. Therefore, they may be granted anticipatory bail.

4. The learned Additional Public Prosecutor submitted that the first petitioner is the husband of the *de facto* complainant and petitioners 2 and 3 are in-laws of the *de facto* complainant. He would further submit that demanding more dowry, the petitioners have driven the *defacto* complainant out from the matrimonial home.

5. I have gone through the FIR. Taking into consideration the facts of the case and the submissions made by the counsels, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. 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 of receipt of a copy of this order, before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, 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 said Magistrate, on further condition that:

[a] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this Order shall stand automatically cancelled.

[b] the first petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and the petitioners 2 and 3 shall report before the respondent police as and when required for interrogation.

[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 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
06/06/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE XVIII METROPOLITAN
MAGISTRATE, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI.
[FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
W-24 ALL WOMEN POLICE STATION,
TEYNAMPET, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.V.KANNADASAN Advocate on payment of necessary
charges in SR.NO. 10044

CRL OP.14811/2018

Date :06/06/2018

MLT-11/06/2018