

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of July Two Thousand Eighteen

PRESENT

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

CRIMINAL ORIGINAL PETITION No.17235 of 2018

1 KIRAN K.SHAH [PETITIONERS / ACCUSED]
2 CHETNA K.SHAH
3 MEHUL KIRAN SHAH

Vs

1 THE COMMISSIONER OF POLICE, [RESPONDENTS]
VEPERY,
CHENNAI-600 007

2 THE INSPECTOR OF POLICE,
G-5 SECRETARIAT POLICE STATION,
KELLYS,
CHENNAI-600 010

3 THE INSPECTOR OF POLICE,
MALLESWARAM POLICE STATION,
BANGALORE,
KARNATAKA

For Petitioner : M/S.M.V.O.CHIDAMBARAM Advocate

For Respondent : MR.M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners seek Interstate anticipatory bail in Crime No.Not Known of 2018 registered by the third respondent for the offence under Section 498-A of IPC.

2. The case of the prosecution as per the defacto complainant is that the petitioners harassed her and demanded more dowry from her.

3. The learned counsel for the petitioner would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that due to matrimonial dispute between the third petitioner and the defacto complainant, a false complaint has been given against the petitioners and they have nothing to do with the said allegation. He further submitted that even though the petitioners are residing at Chennai, they have been falsely implicated in this case, which was registered within

jurisdiction of Bangalore. Pursuant to the case registered by the third respondent, they are apprehending arrest by the respondents and hence, prayed that Interstate Anticipatory bail may be granted to them to enable them to move the appropriate jurisdictional court in Bangalore for necessary relief.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that as stated in the petition, a case in Crime No. Not known of 2018 has been registered by the Inspector of Police, Malleswaran Police Station, Bangalore, Karnatak for the offence under Section 498A of IPC and the second respondent has no intention to arrest the petitioners in the said case. However, he would submit that the petitioners may seek appropriate relief by filing proper petition before the appropriate jurisdictional Court in Bangalore.

5. Taking into consideration the submissions made by the learned counsel appearing for the petitioners, this Court is inclined to grant Interstate interim anticipatory bail to the petitioners for a period of Four Weeks from today to enable them to move the appropriate Court in Bangalore.

6. Accordingly, Interstate interim anticipatory bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall surrender before the learned X Metropolitan Magistrate, Egmore, Chennai, within 15 days from the date of receipt of copy of this order;

(ii) On such surrender, the petitioners shall be enlarged on bail on condition that they shall execute a separate bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the said Magistrate.

(iii) In the event of failure to surrender within 15 days the order granting Interstate interim anticipatory bail stands cancelled automatically.

(iv) Within two weeks of such surrender before the above said Magistrate, the petitioners shall approach the appropriate jurisdictional Courts in Bangalore and seek appropriate relief.

-sd/-

11/07/2018

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 METROPOLITAN MAGISTRATE,
NO.X, EGMORE, CHENNAI.

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

3 THE COMMISSIONER OF POLICE,
VEPERY, CHENNAI-600 007

4 THE INSPECTOR OF POLICE,
G-5 SECRETARIAT POLICE STATION,
KELLYS, CHENNAI-600 010

5 THE INSPECTOR OF POLICE,
MALLESWARAM POLICE STATION,
BANGALORE, KARNATAKA.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+4CC to M/S.M.V.O.CHIDAMBARAM Advocate on payment of
necessary charges SR NO.12741

CRL OP.17235/2018

Date :11/07/2018

MK:18/07/2018