

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of March Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6447 of 2020

M.GIRIDHARAN @ STEVE RICHARD

[PETITIONER / ACCUSED]

Vs

STATE: REP. BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CHENGALPATTU ALL WOMEN POLICE STATION,
CHENGALPATTU,
CHENGALPATTU DISTRICT
CRIME NO. NOT KNOWN OF 2020

For Petitioner : M/S. R.MUTHUKUMAR Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) IPC, in Crime No. not known of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was demanding dowry from the defacto complainant and committed cruelty to her. Hence, the complaint.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person. He has not committed any offence as alleged by the prosecution. It is only a family dispute. Accordingly, prays for grant of anticipatory bail to the petitioner.

4.Learned Additional Public Prosecutor appearing for the respondent objected for the grant of anticipatory bail on the ground that the petitioner is not cooperating with the enquiry and it is only in C.S.R. pending stage and no F.I.R. has been registered against him.

5.Considering the fact that it is only a matrimonial dispute, this Court deems it fit to grant anticipatory bail to the petitioner on certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Chengalpattu, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and also to cooperate with the enquiry conducted by the respondent police, thereafter, as and when required for interrogation.

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

[d] the petitioner 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 petitioner 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 229A IPC.

-sd/-
19/03/2020

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 JUDICIAL MAGISTRATE,
CHENGALPATTU

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

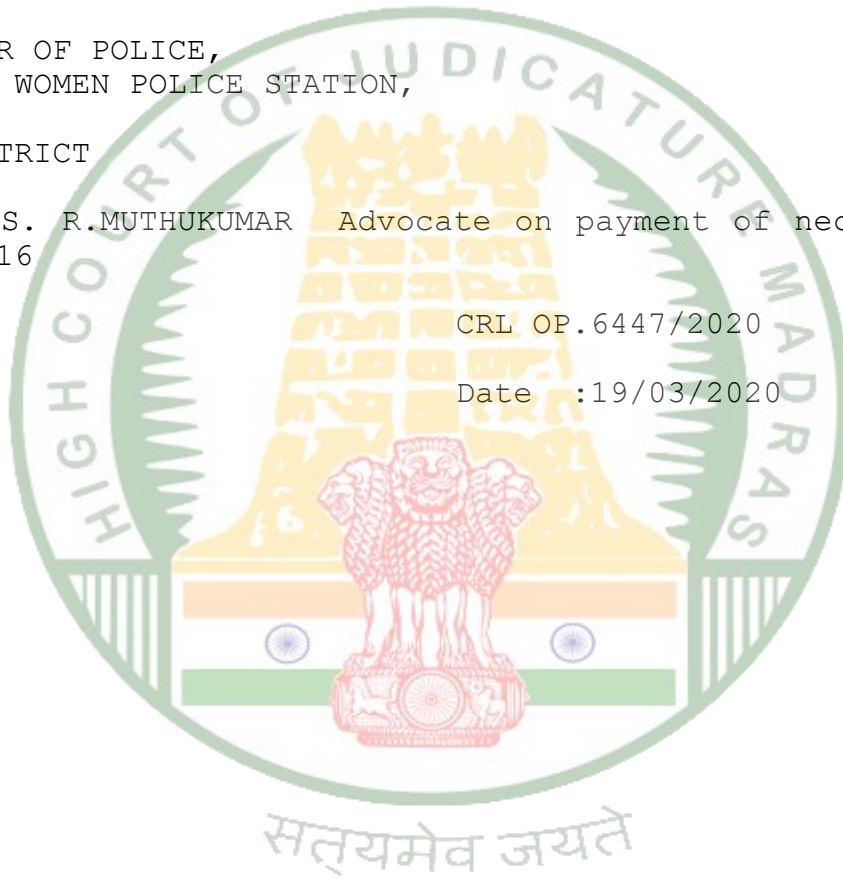
4 THE INSPECTOR OF POLICE,
CHENGALPATTU ALL WOMEN POLICE STATION,
CHENGALPATTU,
CHENGALPATTU DISTRICT

+1CC to M/S. R.MUTHUKUMAR Advocate on payment of necessary
charges SR NO.5516

CRL OP.6447/2020

Date :19/03/2020

MK:17/04/2020



WEB COPY