

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6689 of 2020

1 MOHANARAJA [PETITIONERS / ACCUSED]
2 NARAYANASAMY
3 VASANTHAKUMARI

Vs

THE STATE REP. BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VILLIYANUR,
PONDICHERRY.
CR.NO.NOT KNOWN OF 2020.

For Petitioner : M/S.S.SARAVANAKUMAR Advocate

For Respondent : MR. BHARATHA CHAKKARAVARTHY, Public Prosecutor,
Pondicherry

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

ORDER : The Court Made the following order :-

Petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 498 A, 506(ii) of I.P.C. and Section 4 of the Dowry Prohibition Act, 1961 in Cr.No.Not known of 2020 on the file of the respondent police, seek anticipatory bail.

2. Case of the prosecution is that due to family dispute, the defacto complainant is alleged to have lodged a complaint against the petitioners.

3. Learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence.

4.Heard the learned Public Prosecutor (Pondicherry).

5.Considering the fact that this is only family dispute, this Court is inclined to grant anticipatory bail to the petitioners.

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 Chief Judicial Magistrate, Pondicherry, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation and the petitioners shall co-operate with the enquiry;

(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 petitioner 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

23/03/2020

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

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TRUE COPY

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE
PONDICHERRY.

2 THE PUBLIC PROSECUTOR
<https://hcservices.ecourts.gov.in/hcservices/>
PONDICHERRY.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VILLIYANUR,
PONDICHERRY.

+1 CC to M/S.S.SARAVANAKUMAR Advocate on payment of necessary
charges SR.NO.5659

CRL OP.6689/2020

Date :23/03/2020

TA-22/05/2020



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