

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.7134 of 2020

1. S.Arumugam,
2. A.Shanthi,
3. K.Krishnaveni

... Petitioners

Vs.

State Rep by:-

Inspector of Police,  
All Women Police Station,  
Polur,  
Tiruvannamalai District.

(Crime No.4 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of their arrest in connection with Crime No.4 of 2020 on the file of the respondent police.

For Petitioner : Mr.C.Mohan raj

For Respondent : Mr.K.Prabakar

Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498-A, & 506(i) of IPC, in Crime No.4 of 2020 on the file of the respondent police.

2. The case of the prosecution is that the petitioners are the in-law's of the de-facto complainant and the 1<sup>st</sup> accused viz., Mr.Tamilvanan had married the de-facto complainant on 14.09.2016 and they had blessed with a female child. Thereafter, the petitioners along with her son had harassed the de-facto complainant and beaten and thrown away from the matrimonial house. Hence, the complaint was registered.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He further submit that the 1<sup>st</sup> petitioner is the father-in-law and the 2<sup>nd</sup> petitioner is the mother-in-law and 3<sup>rd</sup> petitioner is the sister-in-law of the de-facto complainant. Hence, he seeks for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners are the in-law's of the de-facto complainant and the 1<sup>st</sup> accused viz., Mr. Tamilvanan had married the de-facto complainant on 14.09.2016 and they had blessed with a female child. Thereafter, the petitioners along with her son had harassed the de-facto complainant and beaten and thrown away from the matrimonial house.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant of anticipatory bail to the petitioners with certain 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 on which the order copy is made ready, before the learned Judicial Magistrate, Kalasapakkam, Tiruvannamalai District, on condition that each of the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety, 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

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

[d] the petitioners shall not abscond either during 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/-  
02/06/2020

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,  
KALASAPAKKAM,  
TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVANNAMALAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
POLUR, THIRUVANNAMALAI DISTRICT.

CC to M/S.C.MOHAN RAJ Advocate on payment of necessary charges

सत्यमेव जयते

CRL OP.7134/2020

Date :02/06/2020

cs 08/07/2020

WEB COPY