

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.14232 of 2020

1.Rajamani
2.Subramaniyan
3.Amutha
4.Arthi
5.Sudha
6.T.Anbanandan

... Petitioners

Vs.

State Rep. By its
The Inspector of Police,
Panruti-All Women Police Station,
Panruti, Cuddalore District.
(Crime No.Not Known of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.Not Known of 2020 on the file of the respondent police.

For Petitioners : Mr.T.Meganathan

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 294(b) & 506(i) of IPC, in Crime No.Not Known of 2020, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Bhavani is that, she got married with the 1st accused on 20.05.2018 and that her husband was working as a P.G assistant in Velammal Metriculation School at Ponneri and due to the wed lock, she delivered a male child. The further allegation is that the 1st accused who is the husband of the defacto complainant along with his relatives, had committed cruelty against the defacto complainant and demanded dowry. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are the in-laws of the defacto complainant and that the defacto complainant and the son of the 1st petitioner were living separately at Ponneri and that the petitioners were living separately. Due to some incompatibility, the respondent left the matrimonial home and given a complaint at her native place. He would further submit that the 1st petitioner has been arrested and remanded to judicial custody. Therefore, he prays to grant anticipatory bail to the other petitioners.

4. The learned Additional Public Prosecutor would submit that the marriage between the defacto complainant and the 1st petitioner was held on 20.05.2018, they have male child and other petitioners are in-laws of the defacto complainant. While so, the accused persons demanded dowry and harassed the defacto complainant. He would also submit the 1st petitioner has been arrested and remanded to judicial custody. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the submission of the learned Additional Public Prosecutor that the 1st petitioner has been arrested, this petition is dismissed as infructuous in so far as the 1st petitioner is concerned. As far as petitioners 2 to 6 are concerned, this Court is inclined to grant anticipatory bail subject to the following conditions;

6. Accordingly, the petitioners are 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 No.I, Panruti, Cuddalore District 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 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two week and thereafter 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 229A IPC.

-sd/-
14/09/2020

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 NO.I,
PANRUTI, CUDDALORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
PANRUTI - ALL WOMEN POLICE STATION,
PANRUTI, CUDDALORE DISTRICT

CC to M/S.T.MEGANTHAN Advocate on payment of necessary charges

WEB COPY

CRL OP.14232/2020

Date :14/09/2020

MK:28/09/2020