

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Ninth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.549 of 2021

K.ARUN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVETRIYUR, CHENNAI.
CRIME NO.8/2018

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S.S.VIGNESWARAN Advocate

For Respondent : M/S.K.PRABAKAR, 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 offence under Sections 294(b), 498 (A) of IPC in Crime No.8 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage was solemnised between the petitioner and the defacto complainant on 03.06.2018. Both of them are doctors, by profession. After the marriage, the petitioners mother demanded dowry and interrupted between the couple. Due to which, the defacto complainant lodged a complaint against her husband and mother in law.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any offence as alleged by the prosecution. Due to misunderstanding with the petitioner and his mother, the defacto given a false case against them. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submits that investigation is pending.

5. Taking into consideration the facts and submissions of the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvettriur, 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 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 Court concerned 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 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]; and;

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

-sd/-

09/04/2021

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,
THIRUVETRIYUR.

2.THE CHIEF JUDICIAL MAGISTRATE
CHENNAI DISTRICT.(FOR INFORMATION)

3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVETRIYUR, CHENNAI.

4.THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.549/2021

Date :09/04/2021

TK/26.04.2021