

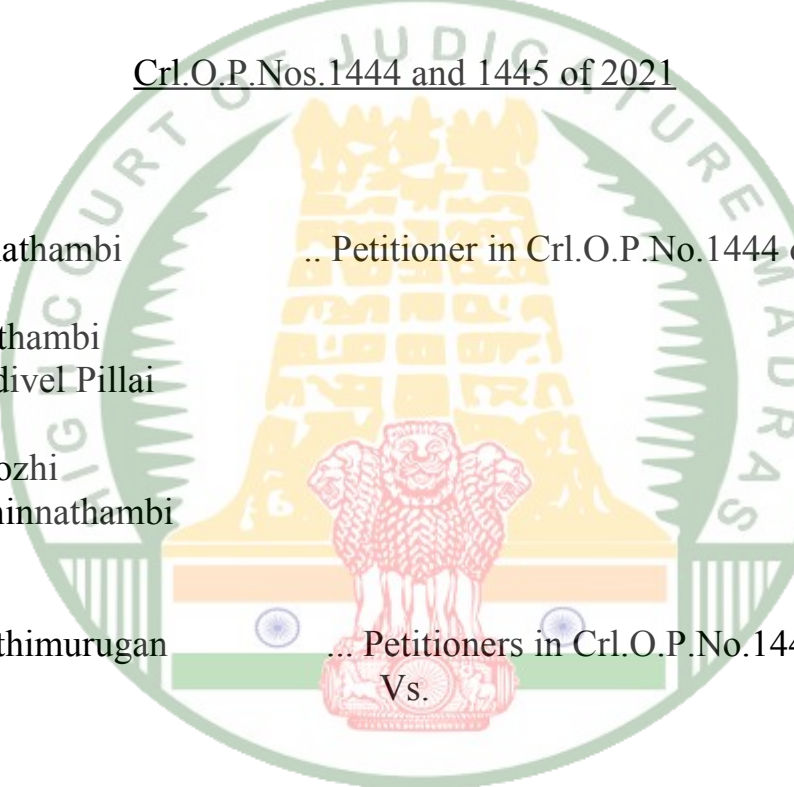
IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.02.2021

CORAM :

THE HON'BLE Mr.JUSTICE **V.BHARATHIDASAN**

Crl.O.P.Nos.1444 and 1445 of 2021

- 
1. Velu
S/o.Chinnathambi .. Petitioner in Crl.O.P.No.1444 of 2021
1. Chinnathambi
S/o.Vadivel Pillai
2. Thenmozhi
W/o.Chinnathambi
3. Meena
W/o.Jothimurugan ... Petitioners in Crl.O.P.No.1445 of 2021

Vs.

State of Tamilnadu
Represented by its
Inspector of Police,
Annadanapatty Police Station,
Salem.

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioners on Anticipatory bail in the event of their arrest in Crime No.1894 of 2020, on the file of the Inspector of Police, Annadanapatty Police Station, Salem.

For Petitioners : Mr.K.P.Suresh Kumar
(in Crl.OP.No.1444 of 2021)
Mr.N.C.Ashok Kumar
(in Crl.OP.No.1445 of 2021)
For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

COMMON ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest for the alleged offences under Section 306 of IPC , on the file of the respondent/Police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner/Velu in Crl.O.P.No.1444 of 2021 is the husband of the deceased and the petitioners in Crl.O.P.No.1445 of 2021 are in-laws of the deceased. The marriage between the victim girl and the said Velu took place in the year 2017 and thereafter she was continuously tortured by her in-laws for not having the child and also demanded dowry. Hence, the victim girl committed suicide on 24.09.2020. Based on the complaint given by the parents of the victim girl, the case has been registered.

3.The learned counsel for the petitioners would submit that the petitioner/Velu in Crl.O.P.No.1444 of 2021 married the deceased Vedavalli and they were living separately and she also delivered a male

child. He would further submit that there is no allegation with regard to dowry demand. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the petitioner in Crl.O.P.No.1444 of 2021/husband of the victim girl and her in-laws have tortured the victim girl and demanded dowry. Due to which, she has committed suicide. Therefore, he opposed for grant of bail to the petitioners.

5. Heard the learned counsel appearing for the petitioner and the Additional public prosecutor appearing for the respondent. Perused the R.D.O report and other materials available on record.

6.Considering the facts and circumstances of the case and also of the fact that the occurrence had taken place due to a quarrel between the deceased and her in-laws and there is no serious allegation of dowry demand, this Court is inclined to grant anticipatory bail to the petitioner with stringent conditions.

7.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 made ready, before the Additional Mahila Court, (FTC) Magisterial Level, Salem 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, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix thier 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 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 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 229 A IPC.

8. With the above directions, this Criminal Original Petition is ordered.

09.02.2021

VV

To

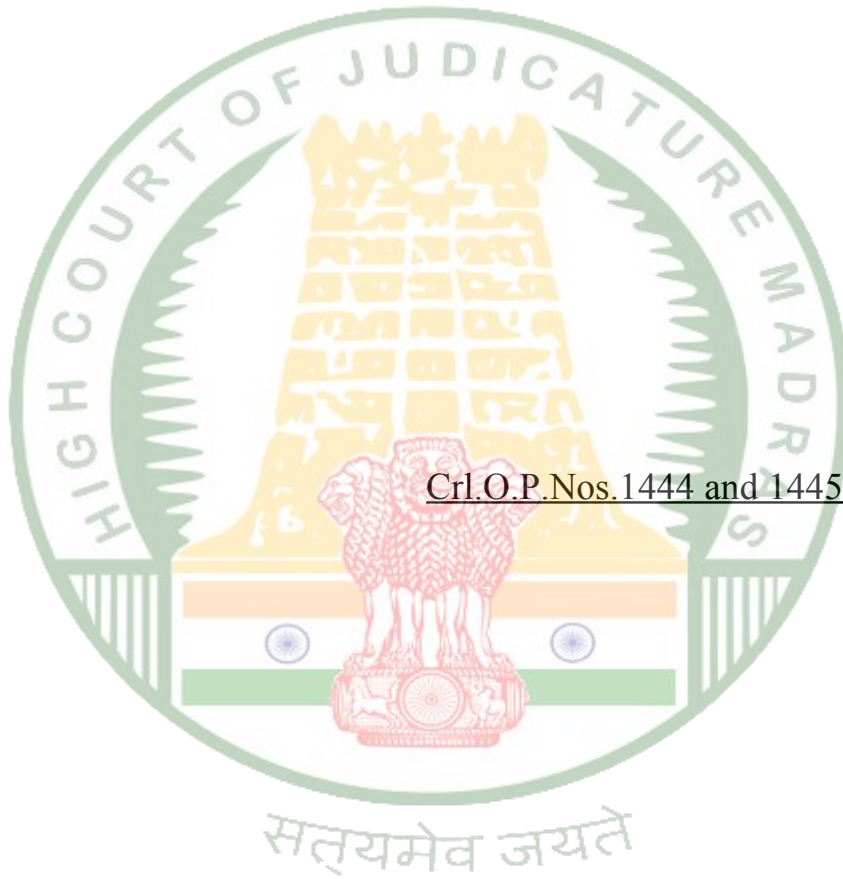
1. The Additional Mahila Court (FTC) Magisterial Level, Salem.
2. The Inspector of Police, Annadanapatty Police Station, Salem.
3. The Public Prosecutor, High Court of Madras, Chennai.

सत्यमेव जयते

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V.BHARATHIDASAN, J.

VV



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