

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.06.2021

CORAM :

THE HON'BLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.No.5667 of 2021

1. Mr.Srikanth Reddy Galla ... Petitioners
2. Mr.Ramakrishna Reddy Galla
3. Mrs.Radhamma Reddy Galla
4. Ms.Meena Reddy Galla
5. Ms.Srivaani Reddy Galla
6. Tmt. Ramalaxma Reddy

Vs.

State Represented by ...Respondent
The Inspector of Police,
W-30, All Women Police Station,
Poonamallee, Chennai - 600 056.
(Crime No.16 of 2020)

PRAYER: Criminal Original Petition is filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest in Crime No.16 of 2020 on the file of the Respondent Police.

For Petitioners : Mr.M.Rajendiran

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 354(A), 406, 420, 493, r/w 511 of IPC and 4 of D.P.Act, in Crime No.16 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a matrimonial dispute between the first petitioner and the defacto complainant and the betrothal function was conducted. Further, the first petitioner had collected a sum of Rs.2,00,000/- from the defacto complainant and the petitioners had demanded additional dowry. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that there is a case in counter and the petitioners have given a complaint in Crime No.434 of 2020 against the defacto complainant. Hence he prays for grant of anticipatory bail to the petitioners.

4. Heard the learned Government Advocate (CrI.Side) appearing for the respondent police.

5.Considering the facts and circumstances of the case and there is a case in counter, there is no previous case, 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 Judicial Magistrate No.I, Poonamallee, on condition that each of 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 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 daily at 10.30 a.m., for a period of two weeks 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]**; and;

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

-sd/-
17/06/2021

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,
NO.I, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
W-30, ALL WOMEN POLICE STATION,
POONAMALLEE, CHENNAI-600 056.

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

CRL OP.5667/2021

Date :17/06/2021

TA-14/07/2021

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