

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Seventeenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6210 of 2021

DHEENA @ RAGHUPRASAD

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUCHENGODE, NAMAKKAL DISTRICT.
CR.NO.7 OF 2021.

For Petitioner : M/S. C.S.SARAVANAN Advocate

For Respondent:MR. T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL 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 punishable under Sections 498 (A), 506 (i) IPC., in Crime No.7 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have harassed the defacto complainant for demand of dowry, due to which the defacto complainant was living at her parents house and on 10.03.2021, when the defacto complainant went to the petitioner's house, upon hearing that the petitioner married another woman, at that time, the petitioner has abused the defacto complainant and threatened her with dire consequences. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent / complainant would submit for dowry the petitioner abused and threatened the defacto complainant with dire consequences. Hence, he would oppose for grant of anticipatory bail to the petitioner.

5. Taking into considering the facts and circumstances of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his 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, Thiruchengode, 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 daily at 10.30 a.m. for a period of two weeks and thereafter shall report before the respondent police on every Monday at 10.30 a.m. for a period of four weeks and thereafter 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 is released on anticipatory 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/-

17/04/2021

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,
THIRUCHENGODE

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL(FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

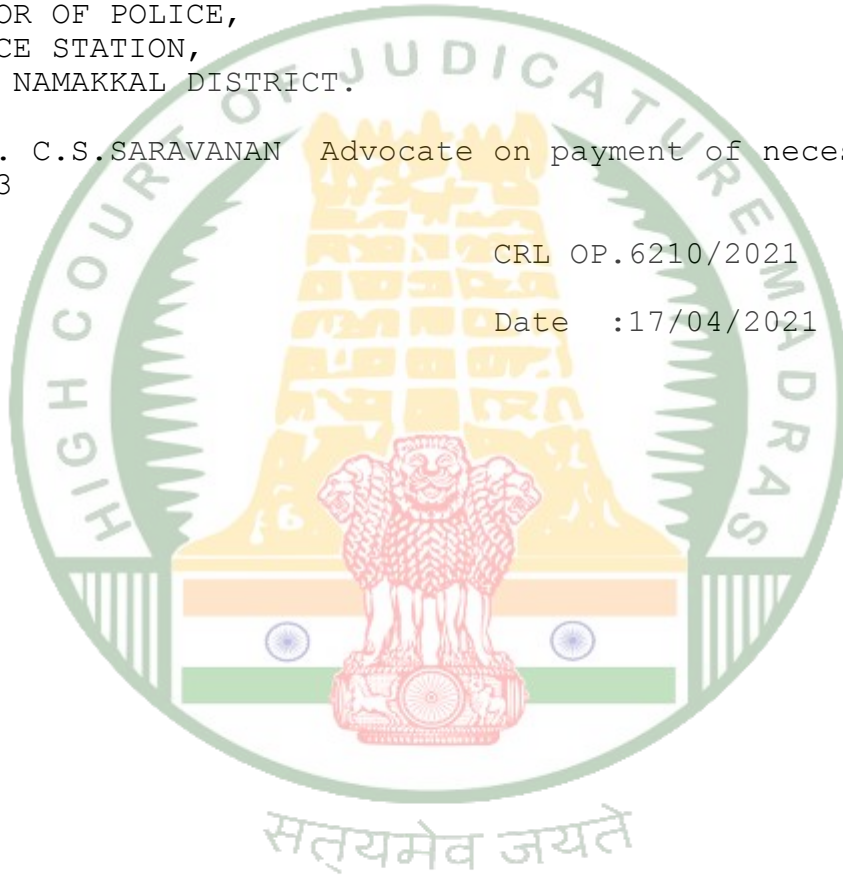
4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUCHENGODE, NAMAKKAL DISTRICT.

CC to M/S. C.S.SARAVANAN Advocate on payment of necessary
charges Sr.4963

CRL OP.6210/2021

Date :17/04/2021

RVR 22/04/2021



WEB COPY