

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.6845 of 2021

1 AMUDHA [PETITIONER / ACCUSED]
2 CHANDRASEKAR

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
ALL WOMAN POLICE STATION,
THIRUVALLUR, THIRUVALLUR DISTRICT.
CR.NO.5 OF 2021.

For Petitioner : M/S.N.JAYACHANDER Advocate

For Respondent : MR.K.PRABAKAR, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), (*) **498 (A)** of IPC and Section 4 of Woman Harassment Act in Crime No.5 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are the mother-in-law(A2) and father-in-law(A3) of the defacto complainant. The defacto complainant and the first accused got married on 08.12.2019. The couple were lived till 23.01.2020. Thereafter, A1 went to Canada for his job. Thereafter, there was a misunderstanding arose between the couple. Due to which, the defacto complainant lodged a complaint against her husband and her in laws.

3.The learned counsel appearing for the petitioners submit that the petitioners have not been committed any offence as alleged by the prosecution. Due to misunderstanding with A1, the defacto complainant created a problem and left the matrimonial home and a false case has been lodged against the petitioners. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

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

5. Considering the fact that there is no serious allegation made as against these petitioners, 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-II, Poonamallee, 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 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 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.

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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.

[*] Time is granted for a further period of two weeks from today to comply with the condition imposed by this Court in Crl.OP No.6845 of 2021. It is made clear that no further extension of time will be granted by this Court. Amended as per order of this Court dated 02/06/2021 made in CRL.MP.NO.5543 OF 2021. in CRL.O.P.NO.6845 OF 2021.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
ALL WOMAN POLICE STATION, THIRUVALLUR,
THIRUVALLUR DISTRICT.

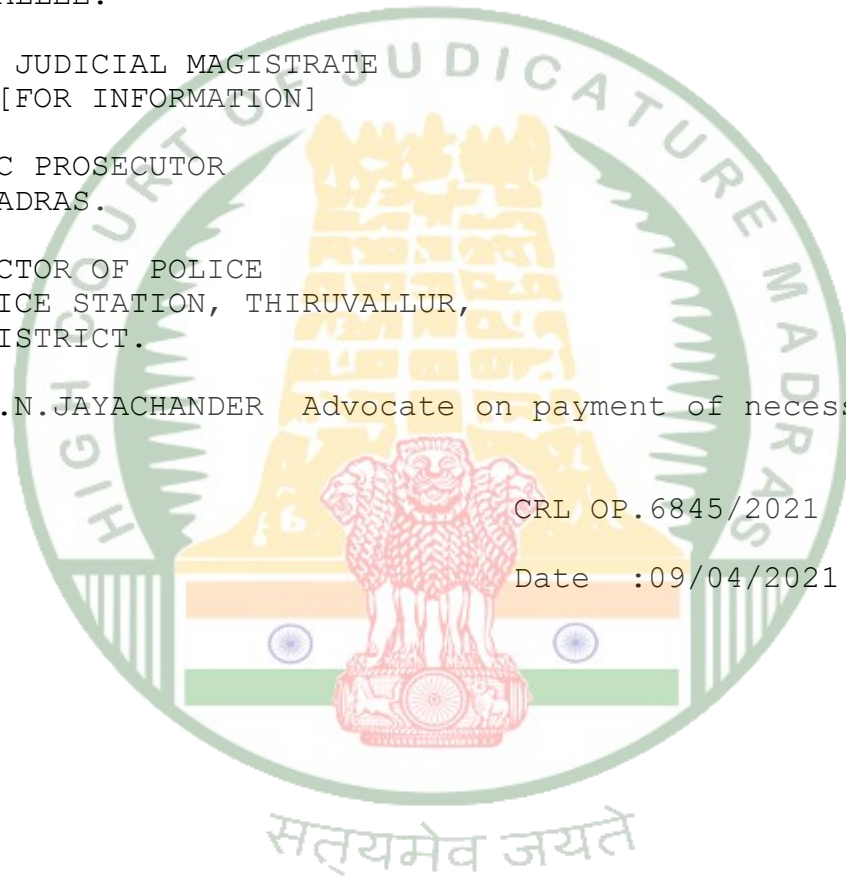
CC to M/S.N.JAYACHANDER Advocate on payment of necessary charges

CRL OP.6845/2021

Date :09/04/2021

TA-19/04/2021

TA-09/07/2021



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