

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of May Two Thousand Twenty One

PRESENT

The Hon`ble Ms Justice R.N. MANJULA

CRIMINAL ORIGINAL PETITION No.8486 of 2021

1 T.VEERAIYAN
2 V.THAVAMANI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP.BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVARUR
(IN CR.NO.5/2021)

[RESPONDENT]

For Petitioner : M/S. S.PARTHASARATHI Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners (rank not known) who apprehend arrest at the hands of the respondent/police for the alleged offences punishable under Sections 498A 294(b), and 506 (II) IPC, on the file of the respondent police, in Crime No.5 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are said to be the parents of one V.Vignesh who is the petitioner in CrI.OP.No.8491/2021. The said Vignesh is the 1st accused in Cr.No.5 of 2021. The allegation against the petitioner is that they along with their son made dowry harassed and threatened the defacto complainant by using filthy languages. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) would submit that the petitioners/accused have demanded dowry from the de facto complainant and the social investigating officer's report also revealed the same. Therefore, he opposed to grant of anticipatory bail to the petitioners.

5. Since the petitioners are the parent's of the first accused in Cr.No.5/2021 and also considering their age and family circumstances, this Court is inclined to grant anticipatory bail to the petitioners alone in Cr.No.5/2021 with certain conditions. 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 learned Judicial Magistrate, Tiruvarur, on condition that the petitioners 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioners and the sureties shall affix their 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 daily at 10.30 am 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

06/05/2021

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,
TIRUVARUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVARUR

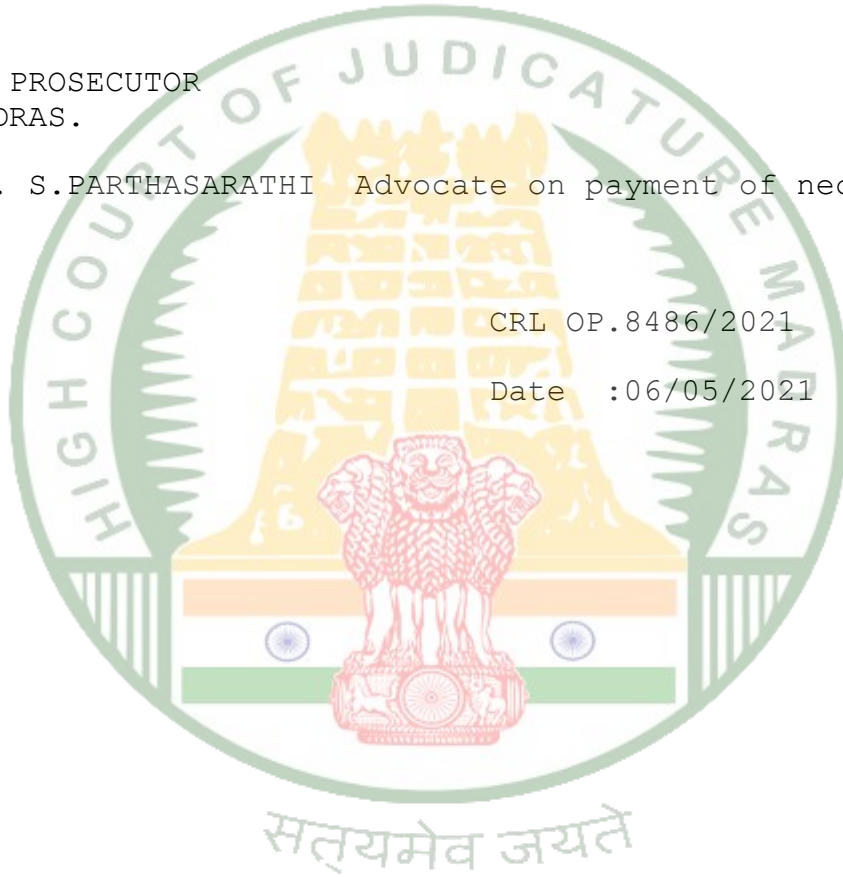
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.8486/2021

Date :06/05/2021

RVR 06/05/2021



WEB COPY