

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.06.2021

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.8396 of 2021

1. Uma Chandru
2. Uma Sankar
3. Jothi

..Petitioners

-Vs-

The State Rep. by
The Inspector of Police,
All Women Police Station,
Tindivanam, Villupuram District.
(Cr.No.08 of 2020)

..Respondent

Prayer: Criminal Original petition filed under Section 438 of Cr.PC to enlarge the petitioner on bail in the event of their arrest in Crime No.08 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondent : Mr.A.Gopinath
Government Advocate(Criminal Side)

O R D E R

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A) of IPC and Section 4 of Dowry Prohibition Act,1961 in Crime No.08 of 2020, on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were demanded dowry of Rs.10 Lakhs and two wheeler from the defacto complainant and the petitioners scolded her in filthy language. Based on the complaint lodged by the defacto complainant, the respondent police registered a case against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate appearing for the respondent submits that investigation has been completed and charge sheet has also been filed in this case.

5. Taking into consideration of the facts and submissions made by the learned counsel and the fact that investigation has been completed and charge sheet has also been filed, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

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-I, Tindivanam, on condition that the petitioners shall execute separate 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 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 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]; and;

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

-sd/-

14/06/2021

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, TINDIVANAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TINDIVANAM, VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.V.G.KARTHEEBAN Advocate on payment of necessary charges

CRL OP.8396/2021

Date :14/06/2021

RVR 07/07/2021

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