

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2021

CORAM

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Crl.O.P.No.8491 of 2021

V.Vignesh

.. Petitioner

Vs.

The State rep. by
The Inspector of Police
All Women Police Station,
Tiruvavur.
Crime No.5 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Cr.No.5 of 2021 on the file of the respondent police.

For Petitioner : Mr.S.Parthasarathy

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offences under Sections 498A, 294(b) and 506(ii) of IPC, in Crime No.5 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, who is the husband of the de-facto complainant along with his parents made dowry harassment and also abused and threatened the de-facto complainant with filthy language.

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

4.The learned Government Advocate (Crl. Side) would submit that the petitioner along with his parents harassed the de-facto complainant and demanded more dowry. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and it is a case of matrimonial dispute, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thirvarur, 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, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his 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 petitioner shall report before the respondent police 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

12/05/2021

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,
THIRUVARUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVARUR DISTRICT.

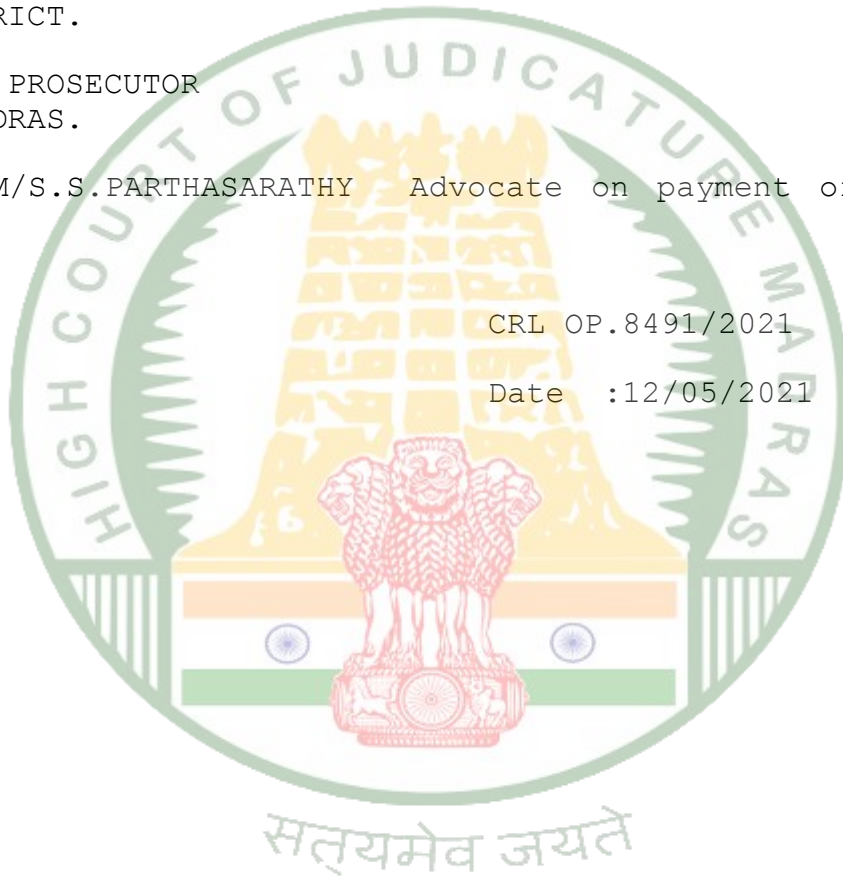
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.8491/2021

Date :12/05/2021

RVR 01/07/2021



WEB COPY