

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2021

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.O.P No.9297 of 2021

1. Shantha Kumari  
2. Rajarajeshwari  
3. Bhuvaneswari

... Petitioners/Accused

Vs.

The State Rep. By  
The Inspector of Police,  
All Women Police Station,  
Katpadi, Vellore District  
(Crime No.Not Known of 2021)

.... Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in Crime No.Not Known of 2021 on the file of the Inspector of Police, All Women Police Station, Katpadi, Vellore District.

For Petitioners : Mr.G.Vinodhkumar  
For Respondent : Mr.J.C.Durairaj  
Government Advocate (Crl. Side)

**ORDER**

The petitioners, who apprehend arrest for the alleged offences under Sections 498 (A) and 506 (ii) of IPC in CSR No.67 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioners would submit that the petitioners are in-laws of the defacto complainant. Due to family dispute between the husband and wife, a false complaint has been given against the petitioners. He would further submit that they have not connected with the crime as alleged by the prosecution.

3.The learned Additional Public Prosecutor would submit that the petitioner enquiry is pending in connection with CSR.No.67/2021. Hence, he opposed for grant of anticipatory bail to the petitioners.

4. This Court considered the submissions made by the learned counsel for all the parties concerned and also perused the FIR.

5. The Supreme Court has laid down the law regarding grant of anticipatory bail in the case of **Gurbaksh Singh Vs. State (AIR 1980 SC 1632)** and considering the fact that the custodial interrogation of the petitioners are not necessary and the fact that there is no apprehension that the petitioners may abscond, the petitioners are granted anticipatory bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Katpadi, on condition that the petitioners shall execute own bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, within a period of one month from the date of normal functioning of the Court below, and further condition that:

[a] the petitioners shall make himself available for interrogation by a police officer as and when required;

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioner shall appear before the Court below, whenever required.

[e] the petitioners shall affix his photograph and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his/her identity.

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[g] 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]**.

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

-sd/-

19/05/2021

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,  
KATPADI.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

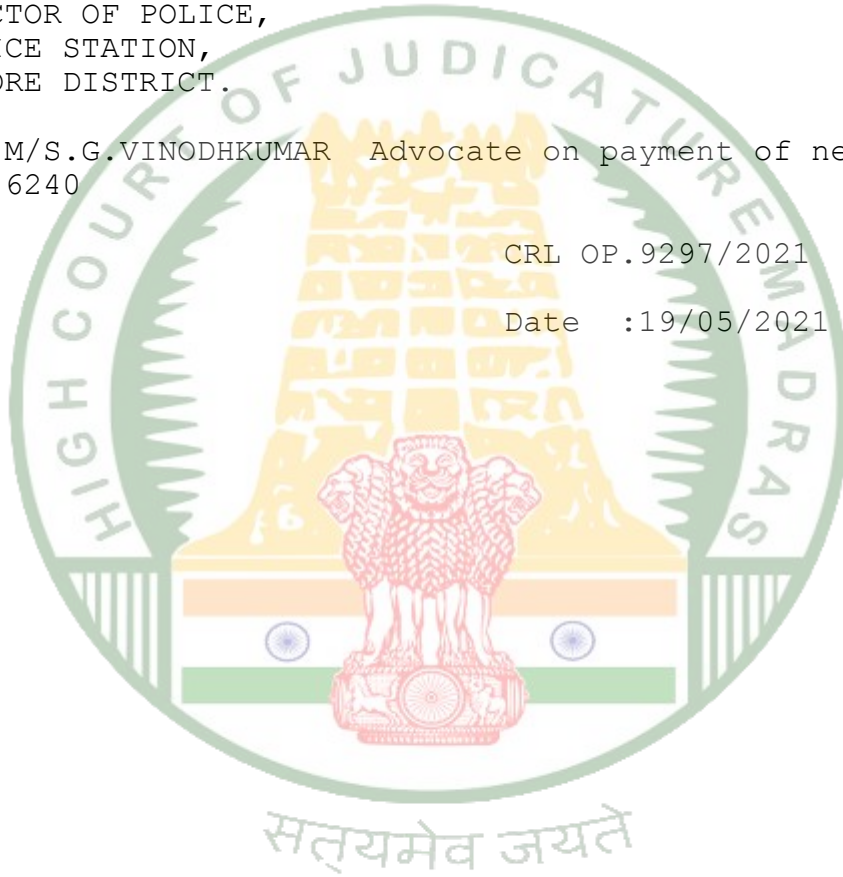
4 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
KATPADI, VELLORE DISTRICT.

+1 CC to M/S.G.VINODHKUMAR Advocate on payment of necessary  
charges SR.NO.6240

CRL OP.9297/2021

Date :19/05/2021

TA-17/06/2021



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