

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Crl.O.P.No.9999 of 2021

1. G.Lakshmi ... Petitioners
2. Nalini
3. Priya

Vs.

State rep. by ... Respondent
The Sub-Inspector of Police,
Podhanur Police Station,
Coimbatore City.
(Crime No.605 of 2021)

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest by the respondent police in crime No.605 of 2021 pending investigation on the file of Sub-Inspector of Police, Podhanur Police Station, Coimbatore city.

For Petitioners : Mr.G.Karthikeyan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.side)

ORDER

(The case has been heard through video conference)

This application has been filed for anticipatory bail as the petitioners apprehend arrest by the respondent police based on the complaint lodged by one Krithika, for offence punishable under Sections 498A, 406 and 506(ii) IPC in Crime No.605 of 2021, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. According to the petitioners, the 1st petitioner is the mother of 2nd and 3rd petitioners / her daughters. According to them, the defacto complainant Mrs.Krithika is the daughter-in-law of the 1st petitioner and that she was married to one Murali/son of the 1st petitioner. According to the petitioners, all the three petitioners are residing at various places. However, due to matrimonial dispute

between Mrs.Krithika/defacto complainant and her husband Murali, a false complaint has been lodged by the defacto complainant against the petitioners.

4. According to the prosecution, while giving in marriage to the said Krithika/defacto complainant, the petitioners had suppressed the earlier marriage of the said Murali/the husband of the defacto complainant with another woman. It is also the case of the prosecution that the petitioners had forcibly taken away the jewels belonging to the defacto complainant.

5. As seen from the above, it is clear that it is merely a matrimonial dispute. This Court also perused and examined the contents of the FIR. After giving due consideration to the dispute in hand, this Court is inclined to grant anticipatory bail to the petitioners subject to the fulfilment of 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 lifting of lock down or the commencement of Courts normal functioning whichever is earlier, before the learned Judicial Magistrate-cum-Additional Mahila Court, Coimbatore**, on condition that the petitioners shall execute separate bonds 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 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]**.

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

-sd/-
09/06/2021

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,
CUM ADDITIONAL MAHILA COURT, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB-INSPECTOR OF POLICE,
PODHANUR POLICE STATION,
COIMBATORE CITY.

+1 CC to M/S.G.KARTHIKEYAN Advocate on payment of necessary charges SR.NO.6410

CRL OP.9999/2021

Date :09/06/2021

TA-30/06/2021