

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Crl.O.P.No.10102 of 2021

1. Ramamoorthy
2. Chandra
3. Venkatesh

... Petitioners

vs.

State represented by
The Inspector of Police,
W-28, All Women Police Station,
Ambattur District.
(Crime No. Not Known of 2021) ... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest concerned in Crime No. Not Known of 2021 (C.S.R.No.148 of 2021) on the file of the Inspector of Police, W-28, All Women Police Station, Ambattur on such terms and conditions and as this Hon'ble Court may deem fit.

For Petitioners : Mr.S.Angamuthu

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

ORDER

(The case has been heard through video conference)

The petitioners apprehend arrest by the respondent Police for the alleged offences punishable under Sections 294(b), 498(A) and 506(ii) of IPC, seek anticipatory bail.

2. According to the prosecution, the de facto complainant Rajkumari has lodged a complaint before the respondent police on 24.01.2021 stating that she married the 3rd petitioner and thereafter she had stayed at her parental home. According to the de facto complainant, she came to her matrimonial home on 30.04.2021. But, she was refused entry by the petitioners. The 1st and 2nd petitioners are the parents of the 3rd petitioner, who was married to the de facto complainant. According to the prosecution, the petitioners denied access to the de facto complainant and caused cruelty and demanded dowry and also committed criminal intimidation. The complaint of the de facto complainant was taken on file and it was numbered as CSR No.148 of 2021. A counter complaint was also given

by the petitioners before the Ambattur Police Station (L & O), which was taken on file as CSR No.549 of 2021.

3.The learned Government Advocate (Crl. Side) for the respondent would submit that in respect of both the complaints FIRs have not been registered till date but enquiry is progressing. He would submit that the petitioners as well as the de facto complainant in CSR NO.148/2021 will have to co-operate with the prosecution in the investigation and they may be directed to appear before the respondent police as and when required.

4. Recording the submissions made by the learned Government Advocate (Crl.side), this court directs the petitioners as well as the de facto complainant in CSR No.148 of 2021 to co-operate with the investigation to be conducted by the respondent police.

5. The respondent police has to issue notice under Section 41A of Cr.P.C to the petitioners. The petitioners are directed to appear before the respondent police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein. The Investigating Officer is to either register a First Information Report or close the complaint by 12.07.2021. If the Investigating Officer has grounds to arrest the petitioners, then he has to state the reasons in writing and communicate the same to the petitioners and in that case, the petitioners are at liberty to file necessary application before this Court seeking anticipatory bail.

6. With the aforesaid direction, this Criminal Original Petition is closed.

-sd/-

09/06/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सतयमेव जयते
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
W-28, ALL WOMEN POLICE STATION,
AMBATTUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S D.PRABU Advocate on payment of necessary charges
SR.NO.6418

CRL OP.10102/2021

Date :09/06/2021