

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.10987 of 2021

1. Pandi
2. Muthupillai
3. Rajapandi
4. Jeyapandiyammal

... Petitioners

Vs.

State rep by
The Inspector of Police,
All Women Police Station,
Perambalur District
(Crime No.15 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C prayed to enlarge the petitioners on bail in the event of their arrest in Crime No.15 of 2021 on the file of the respondent police.

For Petitioners : Mr.J. Senthil Kumaraiah

For Respondent : Mr.A. Gopinath
Government Advocate (Cr1.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 323 and 506(ii) of IPC in Crime No.15 of 2021 seeks anticipatory bail.

2.Totally there are five accused in this case and the petitioners herein are A2 to A5. The case of the prosecution is that the defacto complainant married A1 on 30.01.2020 and due to the wedlock she delivered a baby and soon after birth the baby was died. Thereafter A1 and the petitioners herein harassed the defacto complainant and demanded dowry from her and driven her from matrimonial home. That apart A1 has illegal affair with another women. Hence, the defacto complainant has registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submits the main accused is A1 and the petitioners are in-laws of the defacto complainant and there was some family dispute between A1 and the defacto complainant and these petitioners have nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that the petitioners along with A1 harassed the defacto complainant and demanded more dowry from her and driven her from matrimonial home. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the fact that the main allegation is against A1 and the petitioners herein are in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners.

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 Additional Mahila Court, Perambalur** on condition that each of the petitioners shall execute a separate bond for a sum of Rs.10,000/- each (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 petitioners and 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 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]**; and;

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

-sd/-
28/06/2021

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 ADDITIONAL MAHILA COURT
PERAMBALUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

+1 CC to M/S.J.SENTHIL KUMARAI AH Advocate on payment of
necessary charges SR.NO.6941

CRL OP.10987/2021

Date :28/06/2021

TA-09/07/2021

सत्यमेव जयते

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