

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.11279 of 2021

Chellapandi

... Petitioner

Vs.

The State through the
Inspector of Police,
All Women Police Station,
Perambalur District,
in Cr.No.15 of 2021

... Respondent

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

For Petitioner : Mr.J. Senthil Kumaraiah

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 498(A), 323 and 506(ii) of I.P.C in Crime No.15 of 2021, on the file of the respondent police, seeks anticipatory bail.

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

3.The learned counsel appearing for the petitioner submits there was some family dispute between A1 and the defacto complainant due to which a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4.Today when this matter is taken up for hearing the defacto complainant appeared through video conferencing and stated that she and the petitioner/A1 joined together and she has no dispute with regard to grant of anticipatory bail to the petitioner.

5.Considering the fact that the dispute between the petitioner and the defacto complainant has been amicably solved, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned Additional Mahila Court, Perambalur, on condition that the petitioner shall execute a own bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner shall affix his photograph 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 petitioner 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.

© 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 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/-
01/07/2021

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.

+1CC to M/S.J.SENTHIL KUMARAI AH Advocate on payment of
necessary charges SR NO.7017

CRL OP.11279/2021

Date :01/07/2021

MK:09/07/2021

सत्यमेव जयते

WEB COPY