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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.12845 of 2021

1.Parasakthi
2.Venkitachalam

... Petitioners

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Arni,
Tiruvannamalai District.
(Crime No.8 of 2021)

... Respondent

Prayer:

Petition filed under Section 438 of Cr.P.C., seeking to grant anticipatory bail to the petitioners in the event of arrest in connection with Crime No.8 of 2021 on the file of the respondent Police.

For Petitioners : Mr.A.Swaminathan

For Respondent : Mr.C.E.Pratap for P.P.

O R D E R

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 498 (A), 495, 509 of IPC r/w. Section 92(a) & (b) of RPD Act in Cr.No.8 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 in the case is the defacto complainant's husband and he is alleged to have suspected the character of the defacto complainant and sent her out of the matrimonial house. The petitioners are the parents of A1.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in the case.

4.Heard the submissions made by the learned Government Advocate.



5. Considering the fact that there is no specific allegation as against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

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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 Judicial Magistrate, Arni, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 first petitioner shall report before the respondent police as and when required for interrogation and the second 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;

(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/-

26/07/2021

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

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



1 THE JUDICIAL MAGISTRATE,
ARNI

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2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARNI, THIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S A.SWAMINATHAN Advocate on payment of necessary
charges

CRL OP.12845/2021

Date :26/07/2021

RW 02/08/2021