



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Third day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14510 of 2021

V.SASIKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RANIPET,
RANIPET DISTRICT.
CRIME NO. 23 OF 2020

[RESPONDENT]

For Petitioner : M/S. G.VINODHKUMAR Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120 B, 294(b), 323, 506(i), 498(A), 420, 354 IPC read with Section 4 of Women Harassment Act 2002 and Section 3 (1) of the Dowry Prohibition Act 1961 in Cr.No.23 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner/A1 and the defacto complainant are husband and wife. Due to the wedlock, they were blessed with a female child. Thereafter, there was no compatibility in between them. In these circumstances, the petitioner is alleged to have married A7 while the first marriage is in subsistence. Hence, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submit that the petitioner has performed the second marriage with A7 and he is ready and willing to join with the defacto complainant. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl side) submits that due to family dispute, the defacto complainant lodged a complaint before the respondent police. However, investigation is still pending and hence, he opposed to grant anticipatory bail to the petitioner.

5. On the earlier occasion, this Court directed the Government Advocate to verify whether the defacto complainant is willing to join with the petitioner and whether the petitioner is performed marriage with A7. On verification, the learned Government Advocate submitted that there is no marriage performed between the petitioner and A7 and the defacto complainant is not willing to join with the petitioner.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 Judicial Magistrate-II, Walajapet, on condition that the petitioner shall execute a bond 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 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 petitioner shall report before the respondent police daily at 10.30 a.m. as and when required for interrogation;

(c) 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 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.

WEB COPY

-sd/-
23/08/2021

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-II,
WALAJAPET.

2 THE CHIEF JUDICIAL MAGISTRATE,
VELLORE DISTRICT (FOR INFORMATION).

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.VINODHKUMAR Advocate on payment of necessary charges SR.NO.8904

CRL OP.14510/2021

Date :23/08/2021

INBA 27/08/2021