

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14885 of 2020

& CRL.MP.No.6244 of 2020

1 P.MANIVANNAN

[PETITIONERS / ACCUSED]

2 P.PARTHIBAN

3 SELVAM

Vs

THE STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
HARUR, DHARMAPURI DISTRICT
(CRIME NUMBER 12 OF 2020
DATED 11-09-2020)

D.VISHNUPRIYA

[PETITIONER / DEFACTO-COMPLAINANT]

[ORDERED AS PER ORDER OF THIS COURT
DATED 28/04/2021 MADE IN
CRL.MP.NO.6244/2020 IN CRL.OP.NO.14885/2020]

For Petitioner : M/S. G.MAYAKRISHNAN Advocate

For Respondent : MR.T.SHUNMUGA RAJESWARAN,
Government Advocate (crl.side)

For Intervener : M/S. A.ILAYAPERUMAL Advocate

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest for the alleged offence under Sections 294(b), 498(A) and 406 of IPC in Crime No.12 of 2020 on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that the petitioners, who are husband and in-laws of the defacto complainant harassed her and demanded dowry from the defacto complainant. Hence, the complaint.

4.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. The 1st petitioner is the husband of the defacto complainant and the 2nd and 3rd petitioners are in-laws of the defacto complainant. Hence, he sought for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate would submit that the dispute is a matrimonial dispute. The fact remains that A1 has illegal intimacy with yet another girl and therefore there is a dispute between the 1st petitioner and the defacto complainant. He further submitted that investigation is still pending.

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

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Harur, within a period of 15 days from the date of receipt of a copy of this order, on executing a separate 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 conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass book to ensure their identity.

[b] the 1st 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 2nd and 3rd petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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 petitioner 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

28/04/2021

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,
HARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
HARUR, DHARMAPURI DISTRICT

+1 CC to M/S. A.ILAYAPERUMAL Advocate on payment of necessary
charges SR.No.5523

CRL OP.14885/2020
& CRL.MP.6244/2020

Date :28/04/2021

cs 10/06/2021