



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Second day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13299 of 2021

1 RAJESH KUMAR [PETITIONER / ACCUSED]
2 NELLAVATHI
3 SAMUVEL
4 SEENIVASAN
5 ALAMELU
6 KOTHANDA RAMAN
7 SHANKAR

Vs

1 STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RANIPET, RANIPET DISTRICT
(CR.NO.13/2021)

For Petitioner : M/S.S.SILAMBUSELVAN Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

For Intervenor : MR. G.MOHANAKRISHNAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 498 (A), 406, 506(i) of IPC, r/w Section 4 of Dowry Prohibition Act, in Crime No.13 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife. Further, the first petitioner had illegal intimacy one Nandhini, which was questioned by the defacto complainant, the petitioners had harassed the defacto complainant and demanded dowry. Hence, the complaint.



3. The learned counsel appearing for the petitioners would submit that the first petitioner is the Government Employee and the second, third petitioners are the parents of the first petitioner and other petitioners are relatives. He further submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioners had demanded additional dowry from the defacto complainant and harassed her. He further submits that there is no previous case pending as against the petitioners. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the intervenor/defacto complainant submitted that the petitioners had demand additional dowry from the defacto complainant and harassed her. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and also the fact that though the serious allegations made against the first petitioner, however, no allegation against the other petitioners, this Criminal Original Petition is dismissed as against the first petitioner, Therefore, this Court is inclined to grant anticipatory bail to the petitioners 2 to 7. with certain conditions..

7. Accordingly, the petitioners 2 to 7 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 District Munsiff Cum Judicial Magistrate, Ranipet, on condition that each of 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 2 to 7 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 2 and 5 shall report before the respondent police as and when required for interrogation and the petitioners 3, 4, 6 and 7 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 petitioners 2 to 7 shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 2 to 7 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 2 to 7 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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/-

02/08/2021

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
RANIPET.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [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.S.SILAMBUSELVAN Advocate on payment of necessary charges SR.No.8149

CRL OP.13299/2021

Date :02/08/2021

APN 17/08/2021