



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14730 of 2021

BHASKAR RAO

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W-32, ALL WOMEN POLICE STATION,
MADIPAKKAM, CHENNAI 600 117.
(CRIME NO.02/2021)

[RESPONDENT]

For Petitioner : M/S.RAHUL JAGANNATHAN Advocate

For Respondent : MR.A.GOPINATH, 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 498-A, 294, 506 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Cr.No.02 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is A2 and father-in-law of the defacto complainant. The marriage of the petitioner/A1 and the defacto complainant was performed on 05.07.2012 under the Hindu Rites and Customs and subsequently registered before the Sub-Registrar Office, Periamet, Egmore, Chennai. The marriage was an arranged one by the elders of both the families. Out of wedlock, a female child was born in the year 2013. After 7 years, there was a matrimonial dispute between them, for which, the defacto complainant lodged a complaint before the law enforcing agency under the Women Harassment Act, against the accused persons. Hence, the petitioner preferred the present anticipatory bail application before this Court.



3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and further the co-accused/A1 was already granted anticipatory bail by this Court vide order dated 22.07.2021, made in Crl.O.P.No.12560 of 2021. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the investigation is pending and there is no previous case pending against the petitioner. Further the learned Government Advocate (Crl.Side) represented that the co-accused has been granted anticipatory bail by this Court.

5. Considering the fact that the co-accused has already been released on bail, 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 Judicial Magistrate, Alandur, 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 petitioner 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 as and when required for investigation;

(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 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]; and;



(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
19/08/2021

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,
ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
W-32, ALL WOMEN POLICE STATION,
MADIPAKKAM, CHENNAI 600 117

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.RAHUL JAGANNATHAN Advocate on payment of necessary charges SR.NO.8849

CRL OP.14730/2021

Date :19/08/2021

CSK 27/08/2021