



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14408 of 2021

1 KUMAR
2 INDRA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ENNORE POLICE STATION,
CHENNAI.
(CRIME NO.544/2021)

[RESPONDENT]

For Petitioner : M/S M.VINOTH, Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

For Intervenor : MR.E.PANDIAN, 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 Section 174(3) of Cr.P.C. @ 306 of I.P.C. in Cr.No.544 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with the other accused are alleged to have induced the deceased to commit suicide.

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. He further submitted that the petitioners are the parents of the husband of the deceased/ A1 and the allegation is only against A1 that he demanded dowry.



4.The learned counsel appearing for the intervenor submitted that the RDO enquiry is yet to be completed and further submitted that if anticipatory bail is granted to the petitioners, they may hamper the witnesses and tamper the evidence and vehemently opposed for grant of anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl. Side) submitted that A1 has already been arrested and remanded to judicial custody.

6.Considering the fact that A1 has already been arrested and remanded to judicial custody and the petitioners are parents of A1, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Thiruvottiyur, 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 petitioners 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 petitioner 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/-

16/08/2021

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,
THIRUVOTTIYUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ENNORE POLICE STATION,
CHENNAI .

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S M.VINOTH Advocate on payment of necessary charges
SR.NO.8605

CRL OP.14408/2021

Date :16/08/2021

CSK 23/08/2021