



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.14812 of 2021

T.DEEPA

[PETITIONER / ACCUSED]

Vs

THE STATE
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, POLUR,
THIRUVANNAMALI DISTRICT
CR NO.6/2021

[RESPONDENT]

For Petitioner : M/S. SELVAKUMARASWAMY Advocate for
M/S.S.B.VISWANATHAN 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, 494, 294(b), 323 and 506(i) of IPC read with Section 4 of the Dowry Prohibition Act in Cr.No.6 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and A1 got married before three year. Due to matrimonial dispute, they are living separately. Subsequently, the defacto complainant came to know that A1 got married with another women viz., this petitioner Deepa. When the defacto complainant went to the house of A1 and asked about the marriage. At that time, the petitioner along with other accused abused the defacto complainant in filthy language and assaulted her with hands. Hence, the present complaint was registered against the petitioner and A1.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and she has been falsely implicated in this case. The learned counsel further submitted that she has never got married with A1 and the co-accused have already released on bail by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. side) appearing for the respondent submitted that the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. According to the learned counsel for the petitioner, she had never married with A1. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, 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, Polur, Thiruvannamalai, 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 daily at 10.30 a.m. for a period of two weeks and thereafter, 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 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.

-sd/-

19/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
POLUR, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
POLUR, THIRUVANNAMALAI DISTRICT.

+1 CC to M/S.S.B.VISWANATHAN Advocate on payment of necessary
charges SR.NO.8804

CRL OP.14812/2021

Date :19/08/2021

RW 02/09/2021