



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15843 of 2021

1 G.PALANI
2 P.JEEVA
3 P.VASANTHA
4 A.RAMESH

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPATHUR,
THIRUPATHUR DISTRICT.

[RESPONDENT]

For Petitioner : M/S.P.ANANDA KUMAR Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Cr1. Side)

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest for the alleged offence under Sections 498A of IPC and Sec 4 Dowry Prohibition Act in Cr.No.9 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are in-laws to the defacto complainant. After wedlock of the defacto complainant with the accused/A-1, there was frequent quarrel between them and the accused A-1 had demanded dowry and also assaulted and threatened the defacto complainant. Hence, the law enforcing agency registered a case against the petitioners.



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3. The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. Learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl side) submits that the petitioners are in-laws of the defacto complainant and they demanded dowry from the defacto complainant. He vehemently oppose for granting anticipatory bail to the petitioners.

5. A perusal of the materials reveal that serious allegation are made only against A-1 and not against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Thirupathur, 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/A-2 and A-5 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/A-3 and A-4 shall report before the respondent police 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 petitioners 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.

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-sd/-
02/09/2021

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,
THIRUPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUPATHUR, THIRUPATHUR DISTRICT.

+1 CC to M/S.P.ANANDA KUMAR Advocate on payment of necessary charges SR.NO.9555

CRL OP.15843/2021

Date :02/09/2021

RW 21/09/2021