



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Third day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15905 of 2021

1 ANJALA [PETITIONER / ACCUSED]
2 SUBIMA
3 VANITHA
4 SUGUNA
5 VASANTHA

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVANNAMALAI DISTRICT

For Petitioner : M/S B.JAWAHAR Advocate

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

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), 294(b), 323, 509, 506(ii) of I.P.C r/w section 4 of Dowry Prohibition Act in Cr.No.16 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein are the in-laws of the defacto-complainant. The defacto got married with the son of A4 and A5 on 04.12.2020. There was no compatibility between the husband and wife. The petitioners who are the in-laws of the defacto complainant demanded dowry from her. Hence the defacto complainant has lodged a case against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence prays for grant of anticipatory bail.



4. The learned Additional Public Prosecutor submitted that the investigation is pending in this case and there is no previous case pending against the petitioners and strongly opposed to grant anticipatory bail to the petitioners.

5. It appears that there is a family dispute between the petitioners and the defacto complainant and considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they 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 No-I, Tiruvannamalai, 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) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(c) 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;

(d) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;

(g) 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;



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

WEB COPY

-sd/-

03/09/2021

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 NO.I,
TIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S B.JAWAHAR Advocate on payment of necessary charges

CRL OP.15905/2021

Date :03/09/2021

APN 14/09/2021