



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16464 of 2021

BASKAR

[PETITIONER / ACCUSED]

Vs

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

[RESPONDENT]

For Petitioner : M/S. M.V.DEENADHAYALAN Advocate

For Respondent : M/S. 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 for the alleged offence punishable under Sections 294(b), 417, 498A, 506(i) of IPC r/w Section 4 of TNHW Act in Crime No.14 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the daughter-in-law of the petitioner. After the marriage, A1 had received a sum of Rs.3,50,000/- from the defacto complainant for starting a business and demanded further sum Rs.5,00,000/- and also threatened her with dire consequences. Hence, the complaint.

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. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that after the marriage, the petitioner and his Son Suresh demanded dowry from the defacto complainant and harassed her and also the petitioner has committed the offence of mixing poison in the tea taken by the defacto



complainant and except that allegation no other allegations made against the petitioner.

5. Considering the fact that there is no specific overt act against 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, Thiruttani 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 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;

