



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Fifteenth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.16875 of 2021

1 ABDUL JAMEEL
2 ARIAFABEEVI
3 YBAIATHULLAH
4 GUJUNITHA BEGUM
5 HASHEEM @ MUHAMADHASHIM

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KOTTAKUPPAM ALL WOMEN POLICE STATION,
VILLUPURAM DISTRICT.
CRIME NO. 13 OF 2021.

[RESPONDENT]

For Petitioner : M/S.B.DEVAKUMAR 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 494 and 498-A of IPC, in Crime No.13 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 performed second Marriage with A2 without getting divorce from the defacto complainant. However the other accused are not the participant of the marriage. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners did not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) submits that investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioners.



5. In view of the above submissions, A1 performed second marriage without getting Talak from the defacto complainant. However the other accused are no way connected with the marriage. Hence, this Court inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners is 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 II, Dindivanam on condition that the petitioners 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 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 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.

-sd/-
15/09/2021

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 II,
DINDIVANAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
VILUPPURAM DISTRICT (FOR INFORMATION) .

3 THE INSPECTOR OF POLICE,
KOTTAKUPPAM ALL WOMEN POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.B.DEVAKUMAR Advocate on payment of necessary
charges SR.NO.10129

CRL OP.16875/2021

Date :15/09/2021

INBA 01/10/2021