



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16884 of 2021

RUKSANA @ HAYADH

[PETITIONER / 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 : 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 at the hands of the respondent police for the alleged offence under Section 498-A, 494 of IPC, in Crime No.13 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 performed second Marriage with the petitioner without getting divorce from the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner did not committed any offence as alleged by the prosecution and she 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 petitioner.

5. In view of the above submissions, A1 performed second marriage with the petitioner without getting Talak from the defacto complainant. However the petitioner no way connected with the



marriage. Hence this court 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 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 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/-

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,
NO.II, DINDIVANAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILUPPURAM [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.10178

CRL OP.16884/2021

Date :15/09/2021

APN 01/10/2021