



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.16914 of 2021

1 S.NAVEENKUMAR [PETITIONERS / ACCUSED]
2 S.LAKSHMI
3 S.GOMATHI
4 S.KAVITHA

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUPATTUR TALUK,
TIRUPATTUR DISTRICT.
(CRIME NO.10/2021)

For Petitioner : M/S D.JAGADEESAN 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 for the alleged offence under Sections 498(A), 506(ii) of IPC and Section 4 of the Dowry Prohibition Act in Cr.No.10 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner A1 and defacto complainant are husband and wife. The marriage was solemnized on 26.06.2017 and were blessed with two female children. From the date of marriage, the petitioners demanded dowry from the defacto complainant and harassed her. When the defacto complainant returned home after the delivery of the second child, the petitioner A1/ husband of defacto complainant rigidly told that he will not allow her unless she brings 10 Lakhs for his business. Due to which, there arose a wordy quarrel, the petitioner A1 snatched the Thali chain of the defacto complainant and the petitioners abused and threatened her. Hence the defacto complainant lodged a case against the petitioners. Hence, the Law Enforcing Agency registered a case against the petitioners.



3.The learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and due to family dispute, a wordy quarrel arose between petitioner A1 and defacto complainant. Whereas the other petitioners A2-A4 have not involved in the dispute and they were falsely implicated in this case . Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) submits that the petitioners demanded dowry from the defacto complainant and abused her continuously. He also submits that the investigation is pending. Hence he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, 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-II Court, Tirupattur, Tirupattur District, 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 first 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 and petitioners 2-4 shall appear before the respondent police as and when required.

(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.

WEB COPY

-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,
TIRUPATTUR, TIRUPATTUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUPATTUR TALUK,
TIRUPATTUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S D.JAGADEESAN Advocate on payment of necessary charges

CRL OP.16914/2021

Date :15/09/2021

CSK 01/10/2021