



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty First day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17224 of 2021

BALAMURUGANE

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W-7, AWPS,
ANNA NAGAR,
CHENNAI.
CRIME NO. 2/2021.

[RESPONDENT]

For Petitioner : M/S. A.TAMILVANAN Advocate

For Respondent : MR. 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 petitioner , who apprehend arrest for the alleged offences under sections 498-A IPC, in Crime No.2 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 is the husband of the defacto complainant. The marriage of the A1 and the defacto complainant was performed in the year 2012. After marriage they started matrimonial life in Singapore and thereafter again started living in Chennai. It is alleged that there was a matrimonial dispute, due to which the petitioner ill-treated the defacto complainant and thereby assaulted her. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the matter was almost settled in between the parties. Hence he prays for grant of anticipatory bail to the petitioner.



4. The defacto complainant appeared through video conference and have no objection for granting anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) submits during the pendency of the petition the matter was resolved by respective parties.

6. Considering the facts and circumstances of the case , this Court is inclined to appreciate the efforts taken by the learned Counsels for the respective parties and this Court inclined to grant anticipatory bail to the petitioner.

7. 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 Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai 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 shall affix his 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 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.

WEB COPY

-sd/-

21/10/2021

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 METROPOLITAN MAGISTRATE,
ADDITIONAL MAHILA COURT, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
W-7, AWPS, ANNA NAGAR, CHENNAI.

CC to M/S. A.TAMILVANAN Advocate on payment of necessary charges

CRL OP.17224/2021

Date :21/10/2021

RW 29/10/2021