



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17454 of 2021

1 K.SRINIVASAN [PETITIONERS / ACCUSED]
2 K.LAKSHMI
3 VIMALA
4 BHUVANA @ BHUVANESHWARI

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PANRUTTI, CUDDALORE DISTRICT.
(CRIME NO.25/2021)

For Petitioner : M/S A.SARAVANAN Advocate

For Respondent : MR.C.E.PRATAP, 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 Sections 498(A), 294(b), 342, 323, 324 and 506(ii) of IPC r/w 4 of TNHW Act & 4 of DP Act 1961 in Cr.No.25 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 in the year 2014. From the date of marriage the petitioners continuously demanded dowry from the defacto complainant and abused her using filthy language. During the mean time, the petitioners have arranged second marriage for the petitioner A1 and when the same was questioned by the defacto complainant, the petitioners assaulted and harassed the defacto complainant due to which the defacto complainant sustained injuries in the leg and chased her out from the matrimonial house. Hence, the complaint was registered by the defacto complainant and based on which, the Law Enforcing Agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and due to matrimonial dispute, there arose a wordy quarrel between the petitioners and the defacto complainant. he further submits that the defacto complainant had sustained only simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) submits that injured person has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital, 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, Additional Mahila Court, Cuddalore, 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 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.

WEB COPY

-sd/-
21/09/2021

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,
ADDITIONAL MAHILA COURT,
CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PANRUTTI, CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

1CC to M/S A.SARAVANAN Advocate on payment of necessary charges
SR.NO.10348

CRL OP.17454/2021

Date :21/09/2021

CSK 30/09/2021