



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

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

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.18033 of 2021

JAYALAKSHMI

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
AWPS THIRUVALLUR POLICE STATION,
THIRUVALLUR DISTRICT.
CRIME NO.16 OF 2021.

[RESPONDENT]

For Petitioner : M/S. R.PARTHIBAN 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 petitioner, who apprehends arrest for the alleged offences under Sections 294(b), 506(1), 498(A) and 494 IPC, in Crime No.16 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the wife of A1. Suppressing the earlier marriage, A1 entered into second marriage with the petitioner. Hence the complaint was registered at the instance of the defacto complainant/first wife.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case and he also submits that A1 induced the petitioner and entered into marriage with her, by suppressing his earlier marriage for which the petitioner cannot be made responsible. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that from the said marriage with A1, the petitioner has begotten a male child. However, he opposed grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case, no serious allegations having been made against the petitioner, this Court is inclined 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 Court - I, Thiruvallur 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 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 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/-
28/09/2021

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 COURT-I,
THIRUVALLUR.

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

3 THE INSPECTOR OF POLICE,
AWPS THIRUVALLUR POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. R.PARTHIBAN Advocate on payment of necessary
charges SR.NO.10708

CRL OP.18033/2021

Date :28/09/2021

INBA-07/10/2021