



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18243 of 2021

1 JAGANNATH
2 ANJALI DEVI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CHENGALPATTU,
CHENGALPATTU DISTRICT.
(CR.NO.16 OF 2021)

[RESPONDENT]

For Petitioner : M/S.G.THAMIZHZHAGAN 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 at the hands of the respondent police for the alleged offence under Sections 498(A), 294 (b), 406, 506(1) IPC and Section 4 of Dowry Prohibition Act 1961, 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 marriage of the first petitioner and the defacto complainant was performed in the year 2019. Thereafter there is no compatibility between them and it is alleged that the petitioner demanded more dowry. Hence, the defacto complainant filed a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submits that though though some allegations was made as against A1, no allegation was made against A2. However, he prays for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that investigation is pending before the respondent police. However, he opposed for grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case, this Court not inclined to grant anticipatory bail to A1. However, no serious allegation was made against A2, this court inclined to grant anticipatory bail to A2

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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, Kancheepuram* on condition that the petitioners 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 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.

8. Accordingly, this Criminal Original Petition is granted for A2 and dismissed for A1.

-sd/-

30/09/2021

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.



1 THE JUDICIAL MAGISTRATE-II,
KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CHENGALPATTU,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.G.THAMIZHZHAGAN Advocate on payment of necessary
charges SR.NO.10836

CRL OP.18243/2021

Date :30/09/2021

CSK 07/10/2021