



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18315 of 2021

1 JAYASHANKAR
2 ARUMUGASAMY
3 A.ESWARISAMY
4 A.RAGHURAM
5 JAYALAKSHMI
6 L.SARAVANAKUMAR

[PETITIONERS / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KILPAUK,
CHENNAI DISTRICT.
CRIME NO.14 OF 2021.

[RESPONDENT]

For Petitioner : M/S.S.N.ARUN KUMAR 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 for the alleged offence under Sections 498(A), 294(b) and 506(i) of IPC in Cr.No.14 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage was performed between the defacto complainant and the petitioner/A-1 in the year 2019 and the other accused persons are in-laws of the defacto complainant. There was no compatibility between the petitioner/A-1 and the defacto complainant due to which the petitioners/A-2 to A-6 demanded additional dowry from the defacto complainant and threatened



her with dire consequences. Hence, the defacto complainant lodged a complaint against the petitioners. Thereby, 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. He further submits that A-1 is the husband of the defacto complainant and petitioners/A-2 to A-6 are only in-laws. Though, there is some allegation against A-1, no allegation has been made against the in-laws. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl side) submits that the petitioners demanded additional dowry from the defacto complainant and threatened her with dire consequences. He further submits that the investigation is in preliminary stage. Hence, he vehemently opposed for granting anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the allegation levelled against petitioner/A-1, this Court is not inclined to grant anticipatory bail to the petitioner/A-1. Accordingly, this petition is dismissed for petitioner/A-1. However, the petitioners/A-2 to A-6 are only in-laws and there is no serious allegation levelled against them, this Court is inclined to grant anticipatory bail to the petitioners/A-2 to A-6.

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 Additional Mahila Court, Egmore, 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/A-2, A-4 and A-6 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/A-3 and A-5 shall report before the respondent police 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.

-sd/-

01/10/2021

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 ADDITIONAL MAHILA COURT,
EGMORE, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI DISTRICT.

+1 CC to M/S.S.N.ARUN KUMAR Advocate on payment of necessary charges SR.NO.10872

CRL OP.18315/2021

Date :01/10/2021

RW 01/10/2021