

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.19747 of 2020

1.T.Prema  
2.P.Thambiran  
3.P.T.Hema Latha

... Petitioners

Vs.

The State Rep. by  
The Inspector of Police  
W28, All Women Police Station-Ambattur,  
Ambattur, Chennai  
(Crime No.9 of 2020)

... Respondent

**PRAYER:** Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioners on bail in Crime No.9 of 2020 on the file of the respondent police.

For Petitioners : Mr.G.Peranban

For Respondent : Mr.S.Karthikeyan  
Addl. Public Prosecutor

**ORDER**

**(The case has been heard through video conference)**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 506(i) of IPC, in Crime No.9 of 2020, seek anticipatory bail.

2. The case of the prosecution is that as per the defacto complainant Sangeetha, is that the petitioners are the in-laws of the defacto complainant. The marriage took place on 03.02.2019. At the time of marriage eleven sovereigns of gold, one kilogram of silver and four lakhs cash were given. Thereafter, the husband had demanded 15 sovereigns of gold additionally and that was also given. The further allegation is that the petitioners had harassed and demanded more dowry from the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are an innocent and they have been falsely implicated in this case. He would further submit that the defacto complainant was not interested in the marriage and she has

left from the matrimonial home. Despite the petitioner's insistence to come to the matrimonial home, she did not come. He would further submit that the petitioners are prepared to abide by any conditions. Hence, he seeks for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the marriage between the petitioner and the defacto complainant took place on 03.02.2019. The petitioner demanded further dowry and harassed the defacto complainant and she was driven out from the matrimonial home.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners subject to the following conditions:

a) 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, Ambattur**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] 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.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

With the above directions, this Criminal Original Petition is ordered.

-sd/-

05/01/2021

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,  
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
W28, ALL WOMEN POLICE STATION, AMBATTUR,  
AMBATTUR, CHENNAI.

+2 CC to M/S.G.PERANBAN Advocate on payment of necessary  
charges SR.NO.192

CRL OP.19747/2020

Date :05/01/2021

TA-22/01/2021

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