



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fifth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19400 of 2021

1 JAYAGARMOORTHY
2 CHITRA

[PETITIONERS / ACCUSED]

Vs

STATE OF TAMIL NADU REP BY ITS
THE INSPECTOR OF POLICE,
ALL WOMEN'S POLICE STATION EAST,
PULIAKULAM, RAMANATHAPURAM,
COIMBATORE-45.
(CRIME NO.14 OF 2021)

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S. M.VIMAL BOBBY CRIMSON Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

For Intervenor : MR.J.KINGSLY SOLOMON Advocate

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 406, 498-A, 323 of IPC and under Section 109 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 accused A1 and the de-facto complainant are husband and wife and their marriage was solemnized in the year 2012. Out of their wedlock they were blessed with two children. The petitioners herein are the in-laws of the de-facto complainant. The petitioners along with A1 continuously harassed the de-facto complainant and demanded dowry and abused her continuously. Hence, based on the complaint lodged by the de-facto complainant, the respondent police registered a case against the petitioners and other accused persons.

3.The learned counsel appearing for the petitioners submitted that due to some matrimonial dispute between A1 and the de-facto complainant, the de-facto complainant on her own volition left her



husband along with her children and stayed in her father's house. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned counsel for Intervenor submitted that the Gold jewels of 63 Sovereigns were not returned by the petitioners. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners harassed the de-facto complainant continuously and demanded dowry due to which she was subjected to mental agony. Hence he opposed to grant anticipatory bail to the petitioners.

6. Considering the facts that the children are staying with the de-facto complainant and since the petitioners herein are in-laws of the de-facto complainant and there is no serious allegation made against them, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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, at Coimbatore, on condition that the petitioners shall execute the 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.

-sd/-
25/10/2021

WEB COPY

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,
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION EAST,
PULIAKULAM, RAMANATHAPURAM,
COIMBATORE-45.

+1 CC to M/S. VIMAL B CRIMSON Advocate on payment of necessary charges SR.NO.11745

+1 CC to M/S. J.KINGSLY SOLOMON Advocate on payment of necessary charges SR.NO.11734

CRL OP.19400/2021

Date :25/10/2021

CSK 10/11/2021