



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.19509 of 2021

1 RAMAMOORTHY
2 CHANDRA
3 VENKATESH

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
W-28, ALL WOMEN POLICE STATION,
AMBATTUR.
CRIME NO.5 OF 2021.

[RESPONDENT]

For Petitioners : M/S.S.ANGAMUTHU 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 at the hands of the respondent police for the alleged offence under Sections 294(b) & 498 (A), of I.P.C and Section 4 of Dowry Prohibition Act in Cr.No.5 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the De-facto Complainant and A3 loved each other and got married on 24.01.2021. Thereafter A3 and the other petitioners/A1 & A2 who are the in-laws of the De-facto Complainant harassed her by demanding dowry. Hence the De-facto Complainant lodged a complaint before the law enforcing agency against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence he prays for grant of anticipatory bail.



4.The learned Additional Public Prosecutor submitted that the investigation is pending in this case and there are no previous cases against the petitioners.

5. A perusal of the complaint reveals that serious allegations have been levelled against A3 and therefore this Court is not inclined to grant anticipatory bail to A3. However as there is no specific overtact/allegation made against the other petitioners/A1 & A2, this Court is inclined to grant anticipatory bail to the petitioners/A1 & A2.

6.Accordingly, the petitioners/A1 & A2 are granted anticipatory bail and they 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 Judicial Magistrate, Ambattur on condition that the petitioners/A1 & A2 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)if the petitioners/A1 & A2 failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c)the petitioner/A1 shall report before the respondent police daily at 10.30 a.m. until further orders; Whereas the Petitioner/A2 shall report before the respondent police as and when required before the respondent police;

(d)the petitioners/A1 & A2 shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioners/A1 & A2 shall not abscond either during investigation or trial;

(g)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/A1 & A2 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;



(h)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
25/10/2021

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 JUDICIAL MAGISTRATE,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE
W-28, ALL WOMEN POLICE STATION,
AMBATTUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.ANGAMUTHU Advocate on payment of necessary charges SR.NO.11698

CRL OP.19509/2021

Date :25/10/2021

JPA 02/11/2021