



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.19966 of 2021

1 ELANGO
2 SAROJINI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE (AWPS),
W26 ASHOK NAGAR,
ASHOK NAGAR,
CHENNAI-600083.
CRIME.NO.9/2021

[RESPONDENT / COMPLAINANT]

For Petitioner : M/S.ADINARAYANA RAO 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 498A and 323 of IPC in Cr.No.9 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 and the de-facto complainant are husband and wife and their marriage was solemnized in the year 2020. The petitioners herein are the in-laws of the de-facto complainant. The petitioners along with other accused persons continuously harassed and abused the de-facto complainant in filthy language and demanded dowry of Rs.5,00,000/-. When the same was denied by the de-facto complainant and her family members, the petitioners and other accused persons assaulted the de-facto complainant. 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 the petitioners are innocent persons and there was a family dispute between the de-facto complainant and A1, due to which, she has



lodged a false complaint against the petitioners. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners along with A1 harassed the de-facto complainant and due to which she was subjected to mental agony. Hence he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and the petitioners herein are in-laws of the de-facto complainant and since there is no serious allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

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 Honourable XVII Metropolitan Magistrate, Saidapet, Chennai, 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.

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-sd/-
27/10/2021

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 XVII METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE (AWPS),
W26 ASHOK NAGAR,
ASHOK NAGAR, CHENNAI-600083.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.ADINARAYANA RAO Advocate on payment of necessary charges SR.NO.11882

CRL OP.19966/2021

Date :27/10/2021

INBA-10/11/2021