



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20028 of 2021

1 ARAVIND GANESH
2 RAJENDRAN
3 SENTHAMARAI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W-30, ALL WOMEN POLICE STATION,
POONAMALLEE,
CHENNAI 600 056.
(CRIME NO.27/2021)

[RESPONDENT]

For Petitioner : M/S.M.ARUL Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (CrI. 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), 323, 506(1) of IPC and 4 of DP Act in Cr.No.27 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner and the de-facto complainant are husband and wife and their marriage was solemnized on 27.01.2021. The second and third petitioners are in-laws of the de-facto complainant. The petitioners harassed the de-facto complainant and abused her in filthy language and demanded dowry. When the same was denied by the de-facto complainant and her family members, the first petitioner 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.



3. The learned counsel for the petitioners submitted that the de-facto complainant's father is working as Sub-Inspector of Police and due to some family dispute, the de-facto complainant and her father lodged a false complaint against the petitioners. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that the petitioners harassed the de-facto complainant and abused her in filthy language and demanded dowry from her. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and submissions made by the learned counsel for both sides 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 Judicial Magistrate Court at Sriperumundur, 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.

WEB COPY

-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 JUDICIAL MAGISTRATE,
SRIPERUMUNDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
W-30, ALL WOMEN POLICE STATION,
POONAMALLEE, CHENNAI 600056 .

+1 CC to M/S.M.ARUL Advocate on payment of necessary charges
SR.NO.11987

CRL OP.20028/2021

Date :27/10/2021

RW 10/11/2021