



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23381 of 2021

S.Sathyamoorthy

... Petitioner

Versus

The State represented by
The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights,
Chennai - 600 006.
(Crime No.09 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.9 of 2021 on the file of the respondent police.

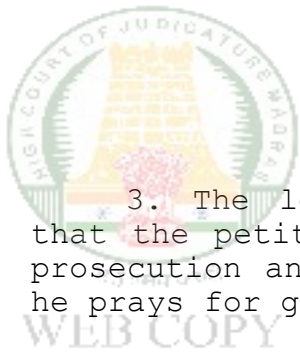
For Petitioner : Mr.V.Karthikeyan

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 498A, 294(b), 506(ii) of IPC in Crime No.9 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has given a complaint dated 23.07.2021 before the respondent police against the petitioner as well as his elder brother and his mother that they were demanding dowry from her parents for construction of a new house and after the receipt of the said complaint, the respondent did not conduct any enquiry with the petitioner and other two persons. Hence the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner has 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 appearing for the respondent submitted that due to dowry harassment the defacto complainant was left to her parents home. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, that the petitioner is employed in Central Government and the divorce proceedings have pending, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **(*)District Munsif cum Judicial Magistrate Court, parangipettai** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) as maintenance to the wife of the petitioner to her account on every First week of English Calendar from the date of receipt of a copy of this order and shall produce the said receipt before the Court below until any modification of the concerned Court, failing which the order will be cancelled.

[b] the petitioner and 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 petitioner is directed to report before the respondent police on every Sunday at 10.30 a.m., until further orders;

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



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

COPY TO

-DO-THRO POLICE STATION
(DEFACTO COMPLAINANT / WIFE OF PETITIONER)
THE INSPECTOR OF POLICE,
W-1, ALL WOMEN POLICE STATION,
THOUSAND LIGHTS, CHENNAI.

+1 CC to M/S. V. KARTHIKEYAN Advocate on payment of necessary
charges SR.NO.171

CRL OP.23381/2021

Date :06/12/2021

JPA 15/12/2021

JPA 12/01/2022