



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23412 of 2021

1.A.Arun Kumar
2.S.Ayyakannu
3.S.Panchavarnam

... Petitioners

Versus

State Rep by
All Women Police Station,
Ariyalur,
Ariyalur District.
(Crime No. 52 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioners on bail in the event of their arrest in Crime No.52 of 2021 pending investigation on the file of the respondent police.

For Petitioners : Mr.V.Raja

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For Intervenor : Mr.Ilanchezhiyan

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences Under Sections 294(b), 323, 324, 506(2) IPC, Section 4 of Dowry Prohibition Act, 1961 and 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.52 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner is the husband and the second and third petitioners are in-laws of the defacto complainant. It is alleged that the petitioners harassed the defacto complainant by demanding more dowry and thereby abused her in filthy language. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.



3. The learned counsel appearing for the petitioners submits that the petitioners are no way connected with the occurrence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the 1st petitioner issued a notice on 31.10.2021 to the defacto complainant to resolve the issues. However, the defacto complainant lodged the present complaint against the petitioners under the Dowry Prohibition Act. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submits that that this matter may be referred to Mediation Centre for amicable settlement.

5. Considering the facts and circumstances of the case and also considering that it is purely a family dispute, this Court is inclined to grant anticipatory bail to the petitioners and further the matter is referred to the **Mediation and Conciliation Centre at Ariyalur** for the purpose of solving the issue between the first petitioner and the defacto complainant for **five sittings**.

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 **Additional Mahila Court, Ariyalur, Ariyalur District** on condition that the petitioners 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 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 appear 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/-
07/12/2021

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 ADDITIONAL MAHILA COURT
ARIYALUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARIYALUR, ARIYALUR DISTRICT.

4 THE ASSISTANT REGISTRAR,
TAMILNADU MEDIATION AND CONCILIATION CENTRE,
HIGH COURT, MADRAS.

Copy To:

THE MEDIATION AND CONCILIATION CENTRE,
ARIYALUR DISTRICT.

CC to M/S. V.RAJA Advocate on payment of necessary charges

CRL OP.23412/2021

Date :07/12/2021

TA-28/12/2021