



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24229 of 2021

Veeramani

... Petitioner

Versus

State represented by
The Inspector of Police,
All Women Police Station,
Kallakurichi, Kallakurichi District.
(Crime No.17 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail on event of arrest in connection with the Crime No.17 of 2021 on the file of respondent police.

For Petitioner : Mr.G.Mohammed Aseef

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 498(A), 294 (b), 313, 506(1) of IPC r/w Section 4 Dowry Prohibition Act and Section 4 of TN Prohibition of Harassment of Women Act, in Crime No.17 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was harassed for dowry by the petitioner and his family. The defacto complainant got married with the petitioner on 29.05.2015, thereafter the defacto complainant was pregnant, at that time family members compelled to abort her infant. The defacto complainant had not agreed for the abort, the petitioner and his family beaten and kicked her stomach and the defacto complainant got aborted. For the above occurrence the defacto complainant gave complaint. 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. He further submitted that the petitioner is the husband of the defacto complainant, out of marriage they had one female child due to some misunderstanding they have separated. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the defacto complainant was pregnant due to her harassment she got aborted, hence the complaint arose, the matter related to the family dispute of the petitioner and also inclined to take back. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, 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 Judicial Magistrate - 1, Kallakurichi, 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 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;

(b) the defacto complainant and A1 are directed to appear before the Mediation at Villupuram Mediation Centre for 5 sittings, failing which the order will be cancelled automatically and the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

16/12/2021

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 JUDICIAL MAGISTRATE,
NO.I, KALLAKURICHI.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION].

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
MEDIATION CENTRE, VILLUPURAM.

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

+1 CC to M/S.G. MOHAMMED ASEEF Advocate on payment of necessary charges SR.NO.14909

CRL OP.24229/2021

Date :16/12/2021

JPA 22/12/2021