



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 28.10.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD) . No.12737 of 2021

WEB COPY

V.Veerapandi

... Petitioner/Accused Rank
Not Known

Vs

State Rep. By
The Inspector of Police,
All Women Police Station,
Manapparai,
Trichy District.
(Crime No.Not Known of 2021)

... Respondent/Complainant

For Petitioner : Mr.A.N.Ramanathan
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

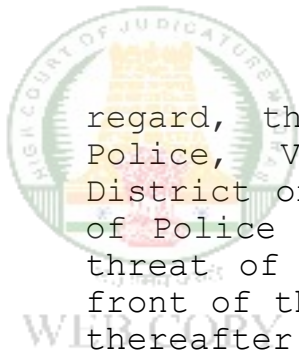
For Anticipatory Bail in Crime No.Not Known of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 498(A) IPC, in Crime No. Not Known of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and his family members arranged betrothal function between the petitioner and the de-facto complainant, thereafter, the petitioner refused to marry the de-facto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner's family has arranged only betrothal function and the de-facto complainant is a married woman and has not divorced her first husband legally. He submitted that the petitioner has purchased four sovereigns of Gold chain worth about Rs.1,61,000/- and presented at the time of betrothal and he has also filed a receipt to that effect. In this



regard, the petitioner filed a complaint before the Inspector of Police, Vaiyampatti Police Station, Manapparai Taluk, Trichy District on 28.07.2021. On receipt of the complaint, the Inspector of Police enquired and the same was closed stating that due to the threat of the de-facto complainant, all accused picked quarrel in front of the petitioner's hotel and no further enquiry was conducted thereafter.

4.The learned counsel for the petitioner further submitted that on 01.08.2021, the respondent police called the petitioner and his family members for enquiry. The petitioner and his family members appeared before the respondent police on 01.08.2021, during the enquiry, both parties were agreed to settle issue among themselves within two days. But, the de-facto complainant threatened the petitioner and his family members. When the same was reported by the petitioner to the respondent police, the respondent police insisted to settle the issue either by marrying the de-facto complainant or by paying Rs.3,00,000/- as compensation apart from 4 sovereigns of gold chain. Therefore, the petitioner filed W.P.(MD) No.14962 of 2021 before this Court. This Court by order dated 24.08.2021 instructed the learned Government Advocate not to disturb the petitioner. But the respondent police continuously harassing the petitioner, hence, he moved the petition seeking anticipatory bail.

5.The learned Additional Public Prosecutor for the respondent police, on instructions, submitted that the petitioner and his family members arranged only for betrothal function and no marriage was taken place. He further submitted that the investigation is yet to be completed.

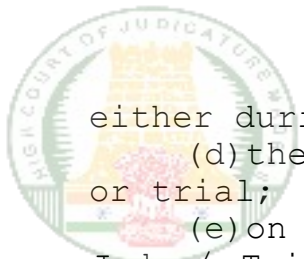
6.Considering the facts and circumstances of the case, the nature of allegation made against the petitioner, the petitioner and his family members were arranged only betrothal function and no marriage was taken place, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manapparai, Trichy District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judge concerned and on further conditions that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

<https://hcservices.courtservice/hcservices/> (b)the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders.

(c)the petitioner shall not tamper with the 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 Judge/ 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 Judge/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/ petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

28/10/2021

/ TRUE COPY /

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.THE JUDICIAL MAGISTRATE,
MANAPPARAI, TRICHY DISTRICT.

2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAPPARAI, TRICHY DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.AN.RAMANATHAN, Advocate (SR-7663[I] dated 29/10/2021)

ORDER

IN

CRL OP(MD) No.12737 of 2021

Date :28/10/2021