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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.675 of 2022

P.Anbu

...Petitioner

Versus

The State Represented by;
The Inspector of Police,
AWPS Police Station- Arni,
Arni,
Thiruvannamalai District.

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, 1973 praying to enlarge the Petitioner/A2 on Anticipatory Bail in the event of his arrest in Crime No.16 of 2021 by the Respondent Police AWPS Police Station, Arni, Thiruvannamali District.

For Petitioner : Mr.K.Venkat

For Respondent : Mr.A. Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498A, 294(b), 323, 506(i) of IPC, in Crime No. 16 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the husband of the defacto complainant. There was a dispute between the petitioner and the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner along with his family members has demanded dowry from the de-facto complainant and harassed her and he has not maintained his family properly. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Arani, Thiruvannamalai District, 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 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.

[b] the petitioner and the defacto complainant are directed to appear before the Mediation Centre, attached to the District Court, Arani, Thiruvannamalai District, atleast five sittings.

[c] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. until further orders.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 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].



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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-sd/-

12/01/2022

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,
ARNI, THIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT.[FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
AWPS POLICE STATION- ARNI,
ARNI, THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE MEDIATION CENTRE,
DISTRICT COURT, ARANI,
THIRUVANNAMALAI DISTRICT.

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

+1 CC to M/S K.VENKAT Advocate on payment of necessary charges
SR.NO.753

CRL OP.675/2022

Date :12/01/2022

RW 28/01/2022