



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.1684 of 2020

R.DHINESH RAJ

[PETITIONER / ACCUSED]

Vs

1 THE STATE REP.BY
STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION,
VILLIYANUR,
PONDICHERRY STATE
CRIME NO.5 OF 2019.

[RESPONDENTS]

2 SREEMATHY

For Petitioner : M/S.M.PALANIVEL Advocate

For 1st Respondent : MR.V.BALAMURUGANE, Public Prosecutor
for Puducherry

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 324, 406, 294(b), 120(B), 506(ii) of IPC r/w Section 34 of IPC in Crime No. 5 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that there was a matrimonial dispute between the petitioner and the defacto complainant, as a result of which, the petitioner had demanded dowry and harassed the defacto complainant. Hence, the complaint.

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



4. The learned Additional Public Prosecutor would submit that A1 is the husband of the defacto complainant and had demanded dowry and harassed the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact 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, within a period of fifteen days from the date on which the order copy is made ready, before the learned Chief Judicial Magistrate, Pondicherry, 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 shall report 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 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].



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

-sd/-
29/06/2022

WEB COPY

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 CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY

2 THE STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION,
VILLIYANUR, PONDICHERRY STATE.

3 THE PUBLIC PROSECUTOR
PUDUCHERRY.

+1 CC to M/S.M.PALANIVEL Advocate on payment of necessary charges
SR.NO.10340

CRL OP.1684/2020

Date :29/06/2022

JPA 04/07/2022