



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Ninth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2297 of 2022

1 ANJALAI [ PETITIONERS / ACCUSED ]  
2 MANICKKAVEL,  
3 SARIDHA  
4 KUPPUSAMY

Vs

STATE REP BY [ RESPONDENT ]  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
THIRUVANNAMALAI,  
THIRUVANNAMALAI DISTRICT.  
(CRIME NO.15/2021)

For Petitioner : M/S B.S.RAMESH Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Section 294(b), 323, 417, 376(2)(n), 494 & 506(ii) of IPC, r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Cr.No.15 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 had physical relationship with the defacto complainant under the guise of marriage, thereafter, he refused to marry her and abused her in filthy language and married some other girl. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioners are only the in laws of the accused and they are no way connected with the alleged occurrence. He further submitted that co-accused were released on anticipatory bail by this Court in Crl.O.P.No.939 of 2022 dated 20.01.2022. Hence, he prays for bail.



4. The learned Additional Public Prosecutor on instructions submits that the A1 under the guise of marriage, he had physical relationship with the defacto complainant and thereafter refused to marry the defacto complainant and married some other girl. He further submits that A1 was arrested and remanded to judicial custody. However, he admits co-accused were released on anticipatory bail by this Court. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by both counsel and also the fact that the co-accused were released on anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are directed to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate (Additional Mahila (FTC) Thiruvannamalai, on condition that the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 shall report before the respondent police daily at 10.30 a.m., for a period of fifteen days and thereafter as and when required for interrogation.

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

(c) the petitioner shall not abscond either during investigation or trial;



(d) On breach of the any aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled and 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 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];

-sd/-

09/02/2022

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,  
(ADDITIONAL MAHILA (FTC), THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVANNAMALAI [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S B.S.RAMESH Advocate on payment of necessary charges  
SR.No.2139

CRL OP.2297/2022

Date :09/02/2022

CSK 15/02/2022