



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.2545 of 2022

Karthi

...Petitioner

Versus

State represented by
The Inspector of Police,
All Women Police Station,
Nannilam, Thiruvarur District.
(Crime No.18 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 his arrest in Crime No.18 of 2021 on the file of the Inspector of Police, All Women Police Station, Nannilam, Thiruvarur District.

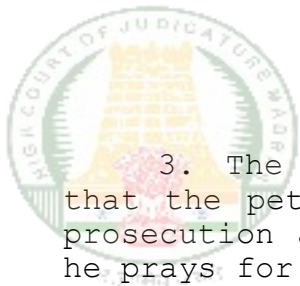
For Petitioner : Mr.Swamisubramanian

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), 323 and 506(ii) of IPC in Crime No.18 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of the petitioner, they got married in the year of 2016, the other accused in this case are the parents and sister of 1st accused in this case. It is alleged in the complaint that the marriage of the defacto complainant and the petitioner is an arranged marriage with the consent of both families and after their marriage subsequently on the instance of the parents the petitioner demanded cash from her matrimonial home additional to the dowry already given as Seethana and also attacked her with hands and committed cruel on her by demanding more money from her parental home. On 16.10.2021 the petitioner attacked her in a drunken state and on the instance of the respondent police she was saved from the 1st accused and gone to her parental home. Regarding the above she lodged the complaint before the respondent police on 20.12.2021. Hence this case.



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. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that there is some family dispute between the petitioner and the defacto complainant. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the petitioner is a Police Constable and he also suspended, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the **learned District Munsif cum Judicial Magistrate, Nannilam, Thiruvarur 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 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 at Tiruvarur Mediation Centre for 5 sittings and the petitioner is directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the wife and children as interim maintenance until modified by the Court of Law to the credit of the wife's account within first week of every English Calendar month and shall produce the said receipt before the Court below, failing which the order will be cancelled automatically;

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

(d) the petitioner is directed to report before the respondent police daily at 10.30 a.m., until further orders;

(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 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

04/02/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
NANNILAM, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NANNILAM,
THIRUVARUR DISTRICT.

5 THE MEDIATION CENTRE
THIRUVARUR.

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

CC to M/S.SWAMISUBRAMANIAN Advocate on payment of necessary charges

CRL OP.2545/2022

Date :04/02/2022

TA-14/02/2022