



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.3330 of 2022

1 G.IMMANUEL
2 S.VIJAYA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMANGALAM, CHENNAI DISTRICT.
(CR.NO.5 OF 2022)

[RESPONDENT]

For Petitioner : M/S.D.VELMURUGAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 498A of IPC r/w Sections 4 of Dowry Prohibition Act, 1961 in Crime No.05 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the petitioners herein are alleged to have demanded dowry and harassed the de-facto complainant. Hence, the complaint.

3. This Court had already passed an interim order in CrI.O.P.No.3330 of 2022 dated 25.02.2022, wherein the matter was referred to the Mediation and Conciliation Centre for amicable settlement. The Tamil Nadu Mediation and Conciliation Centre, High Court, Madras in its Mediation File No.123 of 2022 dated 04.04.2022 had reported "Mediation Completed. Agreement enclosed".

4. In view of the settlement arrived between the petitioners and the de-facto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Additional Mahila Court, Egmore, Chennai on condition that each of the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
28/06/2022

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.



1 THE ADDITIONAL MAHILA COURT,
EGMORE, CHENNAI.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMANGALAM, CHENNAI DISTRICT

3 THE ASSISTANT REGISTRAR
TAMIL NADU MEDIATION AND CONCILATION CENTRE,
HIGH COURT, MADRAS.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.D.VELMURUGAN Advocate on payment of necessary
charges SR.No.10394

CRL OP.3330/2022

Date :28/06/2022

CSK 05/07/2022