



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.4805 of 2022

GOPI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI
CRIME NO.16/2021

[RESPONDENT]

For Petitioner : M/S S.N.ARUNKUMAR Advocate

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

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 offence under Section 498(A), 506 (ii) of I.P.C. and Section 4 of TNPHW Act, 2002 in Crime No.16 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage inbetween A1 and defacto complainant was solemnized on 10.03.2016. The petitioner is the father of A1. The petitioner along with the other accused is alleged to have demanded dowry and harassed the defacto complainant physically.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the entire allegation is against A1 and would further submit that on earlier occasion this



Court granted anticipatory bail to A3 and dismissed the petition as against A1 and A2. Thereafter, A1 surrendered before the lower Court and the lower Court granted bail to A1. Hence, considering the change in circumstances, this Court may grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that investigation is almost over and further submitted that A1 has been enlarged on bail by the lower Court on 25.02.2022.

5.Considering the change in circumstances and since investigation is almost over, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned Additional Mahila Court, Egmore, 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 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 Court concerned 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]; and;



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

WEB COPY

-sd/-

01/03/2022

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 ADDITIONAL MAHILA COURT,
EGMORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI.

+1 CC to M/S S.N.ARUNKUMAR Advocate on payment of necessary charges SR.NO. 3177

CRL OP.4805/2022

Date :01/03/2022

RW 02/03/2022