



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4698 of 2022

RAVI SHILAN JOHN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W-21, GUINDY ALL WOMEN POLICE STATION,
GUINDY, CHENNAI.
CRIME NO.22 OF 2021.

[RESPONDENT]

For Petitioner : M/S.M.ANANDAN, 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 petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 & 498 (A) of IPC in Crime No.22 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The defacto complainant is the wife alleging that her husband cheated her to the tune of Rs.50 lakhs and 70 sovereigns of gold. It appears that spouses were living at Dubai for some time and thereafter, came down to Mumbai. Due to misunderstanding, the defacto complainant has separated from the petitioner accused and now living in Chennai. Making certain allegations that in the course of their matrimonial life, the defacto complainant was put to constant mental pressure and torture and committed criminal breach of trust and disputed with her the prime time of life.



3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) has opposed for granting anticipatory bail to the petitioner.

5. A perusal of the complaint indicates that it is only a matrimonial dispute between the spouses and complaints have already been filed and pending before the Magisterial Court under the Domestic Violence Act and divorce petition pending before the family court. Hence, in view of the above, 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 seven days from the date of receipt of a copy of this order, before the **learned IX Metropolitan Magistrate, Saidapet, Chennai -15** on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Investigation Officer daily at 10.30 a.m., for a period of 15 days.**

(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]***; and;



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

-sd/-

28/02/2022

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 METROPOLITAN MAGISTRATE,
NO.IX, SAIDAPET, CHENNAI-15.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
W-21, GUINDY ALL WOMEN POLICE STATION,
GUINDY, CHENNAI.

+1 CC to M/S.P.A.DELLHI BABU Advocate on payment of necessary charges SR.NO.3056

CRL OP.4698/2022

Date :28/02/2022

TA-04/03/2022