



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5048 of 2022

1 B.UDHAYA KUMAR
2 V.SUSILA
3 C.BAUL RAJ
4 V.JOHNSON

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
W-21, AWPS POLICE STATION,
GUINDY, CHENNAI.
CRIME NO.03/2022.

[RESPONDENT]

For Petitioner : M/S.T.RAVI Advocate

For Respondent : M/S.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 at the hands of the respondent police for the offence punishable under Sections 498-A and 406 of IPC r/w 4 of Dowry Prohibition Act, 1961 in Crime No.3 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petition for anticipatory bail apprehending arrest for the offence under Sections 498-A and 406 of IPC r/w 4 of Dowry Prohibition Act.

3. The defacto complainant is the wife of the first petitioner who has given a complaint alleging that she was subjected to dowry demand and cruelty by her husband and her in-laws. The marriage between the defacto complainant and the first petitioner was solemnized on 11.03.2016, two female children are born to them. While



so, due to misunderstanding, the first petitioner herein has filed a petition for Divorce before the Principal Sub-Court, Myladuthurai. At this juncture, the present complaint has been filed by the wife/defacto complainant.

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4. Heard both sides.

5. Taking note of the above fact, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their 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 on condition that the petitioners shall execute separate bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners 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;

(c) the petitioners shall report before the Investigation Officer daily at 10.30 a.m., until further orders ;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 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



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

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-sd/-

04/03/2022

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 METROPOLITAN MAGISTRATE,
NO.IX, SAIDAPET, CHENNAI.

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

3 THE INSPECTOR OF POLICE
W-21, AWPS POLICE STATION,
GUINDY, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.RAVI Advocate on payment of necessary charges
SR.NO. 3467

CRL OP.5048/2022

Date :04/03/2022

RW 16/03/2022