



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6454 of 2022

BHAGATH SIVA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
W-26 ALL WOMEN POLICE STATION,
ASHOK NAGAR,
CHENNAI-600 083.

[RESPONDENT]

For Petitioner : M/S. ADINARAYANA RAO 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 for the alleged offence under Sections 498(A), 323 IPC and 4 of TNPWH Act pending trial in C.C.No.457 of 2022, on the file of the XXIII Metropolitan Magistrate, Saidapet, Chennai, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. The case of the prosecution is that the petitioner along with his family members harassed the defacto complainant by demanding more dowry. Hence, the complaint was lodged.

4. The learned Government Advocate (Crl. Side) submits that the charge sheet in C.C.No. 457 of 2022 has been taken on file by the XXIII Metropolitan Magistrate, Saidapet, Chennai.



5. Recording the same, 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 seven days from the date of receipt of a copy of this order, before the learned XXIII, Metropolitan Magistrate, Saidapet, Chennai, on condition that the petitioner shall execute separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 his 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall co-operate for trial proceedings regularly.

(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 has 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.

-sd/-
28/03/2022

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.XXIII, SAIDAPET, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
W-26 ALL WOMEN POLICE STATION,
ASHOK NAGAR,
CHENNAI-600 083.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. ADINARAYANA RAO Advocate on payment of necessary
charges SR.NO.4656

CRL OP.6454/2022

Date :28/03/2022

JPA 04/04/2022