



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6865 of 2022

E.NETHAJI

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
R3, ALL WOMEN POLICE STATION,
ASHOK NAGAR,
CHENNAI.
CRIME NO.2 OF 2022.

[RESPONDENT]

For Petitioner : M/S.K.ANBUSELVAN 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 offences under Sections 373, 406, 420, 498A, 506(1) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act and Sections 4 and 7 of Dowry Prohibition Act, in Crime No.2 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a matrimonial dispute in between the petitioner and the defacto complainant, due to which, the defacto complainant has given a complaint to the respondent police where in it is alleged, cheating, breach of trust and dowry harassment.

3. The learned counsel for the petitioner would states that already the matrimonial relationship has dropped and the petitioner herein has approached the Family Court for divorce in HMOP.No.1711 of 2021 and the same is pending. On receipt of legal notice, the present complaint has been given.



4. Considering the facts stated in the FIR and the petition, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Metropolitan Magistrate No.VII, Saidapet, Chennai, 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 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) if the petitioner 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 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;

(c) the petitioner shall report before the respondent police as and when required for an interrogation;

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

(e) the petitioner 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 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;

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

-sd/-

06/04/2022

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.VII, SAIDAPET, CHENNAI.

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

3 THE INSPECTOR OF POLICE
R3, ALL WOMEN POLICE STATION,
ASHOK NAGAR, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.K.ANBUSELVAN Advocate on payment of necessary
charges SR.NO.5296

CRL OP.6865/2022

Date :06/04/2022

JPA 11/04/2022