



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.6262 of 2022

1 K.NIMAL [PETITIONERS / ACCUSED]
(*) 2 KASIYAMMAL
3 CHINNAMMAL
(*) 4 RAVI
5 PERIYASAMY

Vs

THE STAE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VAAZHAPADI POLICE STATION,
SALEM DISTRICT.
CRIME NO.82/2022.

For Petitioner : M/S. S. VINODHA Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Cr1. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 323, 498(A) & 506(i) of IPC in Crime No.82 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1. Side).

3. The case of the prosecution is that the first petitioner is the husband and other petitioners are in-laws of the defacto complainant. It is alleged that the petitioners abused the defacto complainant by demanding more dowry. Hence, the complaint was lodged by the defacto complainant.



4. In view of the above fact, it is observed that the family dispute leading to the registration of the complaint and hence custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners.

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5. Accordingly, the petitioners are 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 Judicial Magistrate Court, Vaazhapadi, on condition that the petitioners shall execute separate bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only) each, 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer as and when required for interrogation;

(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 has 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/-

28/03/2022

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.

[*] P2 & P4 Amended as per order of this Court dated 28/03/022 made in CRL.MP.NO.4010 OF 2022 IN CRL.O.P.NO.6262 OF 2022.

TO

1 THE JUDICIAL MAGISTRATE,
VAAZHAPADI, SALEM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VAAZHAPADI POLICE STATION,
SALEM DISTRICT.

+1 CC to M/S. S. VINODHA Advocate on payment of necessary charges SR.NO.4733

CRL OP.6262/2022

Date :28/03/2022

TA-05/04/2022