



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7808 of 2022

1 C.ELANGO

[PETITIONERS / ACCUSED]

2 P.CHINNAIYA

3 B.VIJAYA

4 M.BALU @ BALAMURUGAN

5 B.TAMILSELVAN

6 B.KANNAN

Vs

STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION,

NEYVELI,

CUDDALORE DISTRICT

(CRIME NO.4 OF 2022)

For Petitioners : M/S.K.GANDHI KUMAR 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 417, 498-A and 506(i) of IPC, in Crime No.4 of 2022, on the file of the respondent police, seek anticipatory bail.

2. These petitioners are in-laws of the defacto complainant. Marriage took place on 26.02.2020. It is alleged that the 1st petitioner suppressing his earlier marriage and divorce has married the defacto complainant and after marriage she has not given the basic comfort in the in-laws house. The petitioners are in-laws of the defacto complainant harassing her and making her life miserable. Several incidents of harassment had been narrated in the First Information Report.



3. However taking note of the fact that there is possibility of reconciliation and retrieve broken marital bond, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 District Munsif cum Judicial Magistrate, Neyveli on condition that each of the petitioners shall execute a separate bonds 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) 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 Investigating Officer daily at 10.30 a.m., for fifteen days and thereafter as and when required;

(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.

WEB COPY

-sd/-
04/04/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NEYVELI

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NEYVELI, CUDDALORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.K.GANDHI KUMAR Advocate on payment of necessary charges SR.NO.5187

CRL OP.7808/2022

Date :04/04/2022

JPA 07/04/2022