



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Nineteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8424 of 2022

1 B.YESURAJA	[PETITIONERS / ACCUSED]
2 J.BENNY	
3 SAGAYAMARY	
4 SENTHILKUMAR	
5 MARY VELANKANNI	
6 NELSON JAYASEELAN	
7 THERASAMARY NELSON	

Vs

STATE REP BY	[RESPONDENT]
THE INSPECTOR OF POLICE,	
ALL WOMEN POLICE STATION,	
THIRUMANGALAM, CHENNAI-600 118.	

For Petitioner : M/S.C.S.SARAVANAN Advocate

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

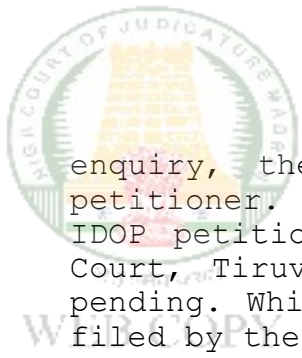
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 498-A, 354 IPC in crime No.12 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein are husband and in-laws of the defacto complainant alleging dowry harassment complaint has been given against these petitioners and the same was taken up for investigation by the respondent police in Crime No.12 of 2022.

3. The learned counsel for the petitioner states that due to dis-harmony between the husband and wife, the defacto complainant herein deserted the first petitioner and lived separately since 2020 with an intention to re-unite with the defacto complainant, the first petitioner gave a representation to the police, but, during the



enquiry, the defacto complainant refused to join with the first petitioner. As a result of which, the first petitioner has filed IDOP petition in IDOP No.564 of 2022 before the Principal District Court, Tiruvallur for resolution of their marriage and the same is pending. While so, the complaint alleging dowry harassment has been filed by the defacto complainant against husband and her in-laws.

4. Considering the fact that this is a matrimonial dispute and one of the spouses has already been approached the Court for resolution of marriage, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 XIII Metropolitan Magistrate Court, Egmore, Chennai-8, on condition that the petitioners shall execute separate bonds for a sum of Rs.50,000/- (Rupees Fifty 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 respondent police as and when required for interrogation;

(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 are 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/-

19/04/2022

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 XIII METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI-8

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

3 THE PRINCIPAL DISTRICT JUDGE
TIRUVALLUR.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMANGALAM, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges SR.No.5996

CRL OP.8424/2022

Date :19/04/2022

CSK 25/04/2022