



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.8872 of 2022

1 JK RAJAGOPAL [PETITIONERS / ACCUSED]
2 GAYATHRI RAJAGOPAL
3 ROHIT KRISHNA RAJAGOPAL

Vs

1 STATE BY ASSISTANT COMMISSIONER OF POLICE, [RESPONDENT]
MYLAPORE, CHENNAI.

2 STATE REP BY THE
THE INSPECTOR OF POLICE
AWPS MYLAPORE
CHENNAI.

For Petitioner : M/S.K.P.ANANTHA KRISHNA 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 for the offence punishable under Sections 406, 498A, 506 (1), 34 of IPC in Crime No. 5 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein are father-in-law, mother-in-law and husband of the defacto complainant. The marriage between the defacto complainant and the third petitioner held on 06.02.2022, within a few days, the relationship was broken and the third petitioner has caused divorce notice to the defacto complainant. In turn, the defacto complainant has filed criminal case before the respondent police alleging very serious behavior, disorder against the third petitioner.



3.Considering the averments made in the complaint and this complaint arouse within a month of the marriage, this Court finds that the anticipatory bail for the third petitioner who is perpetrated for the offence narrated in the FIR has to be dismissed.

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4.In so far as the first and second petitioners are in-laws of the defacto complainant, considering their age, status and allegation made against them, it is suffice to grant anticipatory bail to them and they shall report before the Investigating officer daily and co-operate with the investigation and custodial interrogation is not required.

4. Accordingly, the first and second 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 XVIII Metropolitan Magistrate, Saidapet, Chennai*, on condition that the petitioners 1 and 2 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 first and second 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 first and second 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 first and second petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d)the first and second petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the first and second 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 first and second petitioners in accordance with law as if the conditions have been imposed and the first and second 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.

5. With the above directions, this Criminal Original Petition in respect of 1st and 2nd petitioners stands ordered and in respect of the 3rd petitioner stands dismissed.

-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 XVIII METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI.

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

3 THE ASSISTANT COMMISSIONER OF POLICE,
MYLAPORE, CHENNAI.

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

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to K.P.ANANTHA KRISHNA Advocate on payment of necessary charges SR.No.5823

CRL OP.8872/2022

Date :19/04/2022

CSK 26/04/2022