



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of April Two Thousand Twenty Two
PRESENT

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The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.9662 of 2022

1 ALAGAPPAN
2 MANGAI @ MANGAIYARKARASI

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
W-27, ALL WOMEN POLICE STATION,
VADAPALANI, CHENNAI-600 008.
CR.NO.7 OF 2021.

[RESPONDENT]

For Petitioner : M/S. A.P.KANNAN Advocate

For Respondent : MR. S.UDHYAKUMAR, 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 under Section 498(A), 406, 506(i) IPC in Cr.No.7 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners / A2 and A3 were the in-laws of the defacto complainant. It is alleged that A1 who is the husband of the defacto complainant was already married and had three children. Suppressing the earlier marriage, A1 made an advertisement in the matrimonial site and same also supported by the petitioners herein and married the defacto complainant and thereafter demanded dowry. Hence, the law enforcing agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioner submits that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Earlier two bail petitions in Crl.O.P.Nos.21530/2021 and 7234 of 2022, were filed and the same were dismissed on the ground that the investigation is pending, however now the investigation is almost completed and hence prays for grant of anticipatory bail.



4. The learned Government Advocate (Crl.Side) submitted that the investigation is almost completed and strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is of the opinion that the petitioner earlier filed two bail petitions before this Court, and both the bail petitions were dismissed on the ground that the investigation is pending. However, now the investigation is almost completed and hence, this Court is inclined to grant anticipatory bail to the petitioners herein.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XVII Metropolitan Magistrate, Saidapet, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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) if the petitioners failed to surrender before the concerned Magistrate within a period of four weeks days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 daily at 10.30 a.m. until further orders;

(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.

-sd/-

27/04/2022

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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 XVII METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
W-27, ALL WOMEN POLICE STATION,
VADAPALANI, CHENNAI-600 008.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. A.P.KANNAN Advocate on payment of necessary charges
Sr.6413

CRL OP.9662/2022

Date :27/04/2022

RVR 06/05/2022