



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Ninth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.10265 of 2022

1 V.SASIKUMAR [PETITIONERS / ACCUSED]
2 V.JOHSI RANI
3 M.VENKATESAN
4 S.GOKILA
5 V.MOHAN KUMAR
6 M.THANGAM

Vs

STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM, SALEM DISTRICT.
CR.NO.37 OF 2019.

For Petitioner : M/S.A.VENKATESAN Advocate

For Respondent : MR.S.UDHAYAKUMAR, 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 Sections 498A, 323 and 506(i) of IPC in Cr.No.37 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage was performed between the first petitioner and the defacto complainant and they were blessed with one male child. Thereafter, due to a wordy quarrel between the defacto complainant and A1 who is the husband of the defacto complainant along with the other petitioners/A2 to A6 who are the in laws of the defacto complainant had abused the defacto complainant mentally as well as physically. Hence, the defacto complainant lodged a complaint before the respondent police.



3.The learned counsel appearing for the petitioners submit that the petitioners have not been committed any offence as alleged by the prosecution and the petitioners are innocent and the first petitioner and the defacto complainant are the husband and wife and the complaint was filed in the heat of quarrel between them. Thereafter, the dispute was amicably settled between the parties and they are now living together. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate submits that this is the second anticipatory bail application of the petitioner and investigation has been completed in this matter.

5. Considering the facts and circumstances of the case and the submission made on either side, this Court is inclined to grant anticipatory bail to the petitioners.

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 **Judicial Magistrate, Fast Track Court, Kallakurichi**, on condition that the petitioners shall execute separate 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 15 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 (A1, A3 and A5) shall report before the respondent police daily at 10.30 a.m. For a period of two weeks until further orders and the petitioners (A2, A4 & A6) shall report before the respondent police as and when required before the respondent police 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 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/-

29/04/2022

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 JUDICIAL MAGISTRATE,
FAST TRACK COURT, KALLAKURICHI.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM,
SALEM DISTRICT.

CC to M/S.A.VENKATESAN Advocate on payment of necessary charges

CRL OP.10265/2022

Date :29/04/2022

TA-11/05/2022