



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10924 of 2022

C.ANANDA NARAYANAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SALEM TOWN.
(CRIME NO.17/2022)

For Petitioner : M/S.J.RAMAKRISHNAN Advocate

For Respondent : M/S.S.SUGENDRAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under section **498-A of IPC**, in Crime No.17 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. There are totally three accused in this case and the petitioner is added as A1. The petitioner is the husband of the de-facto complainant and A2 and A3 are the parents of the petitioner/A1.

3. The case of the prosecution is that the marriage between the petitioner and the de-facto complainant was solemnized on 25.02.2021. It is alleged that at the time of marriage, her parents gave her 20 sovereigns of gold ornaments as dowry, household articles and dresses all worth about Rs.3 lakhs and cash of Rs.1,00,000/- for marriage expenses. It is further alleged that after the marriage, she came to know that the petitioner was impotent and when she questioned the same, the petitioner and her-in-laws were alleged to have criminally intimidated her and thereby, she was subjected to physical and mental



cruelty. Hence the case has been registered against the accused persons.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he pleads for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner/A1 along with his parents, who are added as A2 and A3, continuously harassed the de-facto complainant demanding dowry. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and it is a case of matrimonial dispute between the husband and wife, the custodial interrogation of the petitioner is not necessary in this case and hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate, Additional Mahila Court, Salem**, on condition that the petitioner shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) 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) the petitioner shall affix his photograph and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(b) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) **the petitioner shall report before the respondent police, as and when required for interrogation;**

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner 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;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
11/05/2022

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,
ADDITIONAL MAHILA COURT, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SALEM TOWN.

+1 CC to M/S.J.RAMAKRISHNAN Advocate on payment of necessary charges SR.NO. 6927

CRL OP.10924/2022

Date :11/05/2022

TA-13/05/2022