



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.10910 of 2022

1 SANTHAKUMARI
2 PADMINI

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NORTH POLICE STATION, (CRIME)
TIRUPPUR CITY,
TIRUPPUR DISTRICT.
(CRIME NO.NOT known OF 2022)

[RESPONDENT]

For Petitioner : M/S K.SUDHAKAR Advocate

For Respondent : MR.S.SUGENDRAN, Additional Public Prosecutor

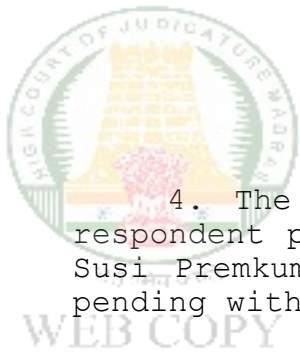
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under sections 294(b), & 506(ii) of IPC in Crime No. not known of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners alleged to have refused to return the Sreedhana articles to the defacto complainant, who is the daughter in law of the first petitioner.

3.The learned counsel appearing for the petitioners submitted that already, in the year 2020, the defacto complainant has lodged a complaint before the All Women Police Station, Tiruppur as against the first petitioner and his son under Sections 498(A), 417 and 323 IPC and now, final report has also been filed. He further submitted that the defacto complainant is residing at her parent house from the year 2014 and the petitioners are innocent and they had not committed any such offences as alleged by the prosecution. Hence, he pleads for anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that now, on the complaint, given by one Susi Premkumar, enquiry in CSR.No.401 of 2022, dated 02.05.2022 is pending with the respondent police.

5. Considering the facts and circumstances of the case and that now, petition enquiry is pending with the respondent, custodial interrogation of the petitioners are not necessary. Hence, 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 Additional Mahila Court, Tiruppur, on condition that the petitioners shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, 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 petitioners shall affix their photograph 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;

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

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

(d) the petitioners 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 petitioners in accordance with law as if the conditions has 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;



(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 ADDITIONAL MAHILA COURT,
TIRUPPUR.

2 THE INSPECTOR OF POLICE,
NORTH POLICE STATION, (CRIME)
TIRUPPUR CITY, TIRUPPUR DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S K.SUDHAKAR Advocate on payment of necessary charges
SR.No.6931

CRL OP.10910/2022

Date :11/05/2022

CSK 12/05/2022