



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

Wednesday, the Eleventh day of May Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.11036 of 2022

1 MOHAMMED RAFFI
2 RAGIMA BEGAM
3 RIYANA BEGAM
4 MOMMED RISHIVAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR,
CR.NO.13/2022

[RESPONDENT]

For Petitioner : M/S.K.AKILAN Advocate

For Respondent : MR.S.SUGENDRAN, Govt. Advocate (Crl. Side)

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

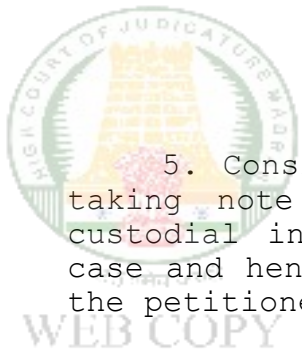
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under sections 294(b), 323 & 498(A) of IPC, in Crime No.13 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the petitioners herein were alleged to have abused the defacto complainant in filthy language and physically assaulted her by way of demanding dowry.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he pleads for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that, during the alleged occurrence, no one sustained injuries.



5. Considering the facts and circumstances of the case and also taking note of the fact that no one has sustained injury, 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 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 VI Metropolitan Magistrate Court, Egmore on condition that each of the petitioners shall execute their 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 his Aadhar card or Bank pass Book to ensure his 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.

-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.



1 VI METROPOLITAN MAGISTRATE
COURT, EGMORE, CHENNAI

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

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.AKILAN Advocate on payment of necessary charges

CRL OP.11036/2022

Date :11/05/2022

RVR 16/05/2022