



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11925 of 2022

1 KUPPUSAMY [PETITIONERS / ACCUSED]
2 GANDHI
3 JOTHI LAKSHMI
4 SRINIVASAN
5 DEVARAJ

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KATBADI POLICE STATION,
VELLORE DISTRICT.
(CRIME NO.127/2022)

For Petitioner : M/S.A.RAMESH, Advocate

For Respondent : MR.A.DAMODARAN, 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 at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 406, 506(i) and 420 of IPC in Crime No.127 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the *de facto* complainant and her husband was solemnized on 06.06.2019. However, the husband of the *de facto* complainant died in an accident on 14.08.2020. The allegation is that the petitioners, who are in-laws of the *de facto* complainant, are refusing to return the sridhana articles given to the *de facto* complainant at the time of marriage as also the LIC bond of her husband. Hence, the complaint.



3. The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in this case without any materials and hence, he prays to grant anticipatory bail to the petitioners.

WEB COPY

4. The learned Additional Public Prosecutor would submit that it is a case of matrimonial dispute.

5. It is seen from the records that the husband of the *de facto* complainant died in an accident. Thereafter, the *de facto* complainant was denied return of sridhana articles.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 on which the order copy made ready, before the learned Judicial Magistrate, Katpadi, Vellore District, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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 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]**.



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/05/2022

WEB COPY

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,
KATPADI, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KATBADI POLICE STATION,
VELLORE DISTRICT.

+1 CC to M/S R.SANKARASUBBU Advocate on payment of necessary charges SR.NO.7839

CRL OP.11925/2022

Date :19/05/2022

TA-25/05/2022