



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

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12588 of 2022

1 JAYAMANI
2 VAIJAYANTHIMALA
3 JAYASRI
4 JAYABARATHI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVARUR DISTRICT
CR.NO.11 OF 2022.

[RESPONDENT]

For Petitioner : M/S.W.CAMYLES GANDHI Advocate

For Respondent : MR. V.MEGANATHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A2 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 323, 506(i) and 420 of IPC in Crime No.11 of 2022, seek anticipatory bail.

2.The case of the prosecution is that A1/Hariharasudhan was in love with the defacto complainant, later they got married and after the marriage, they were living happily for sometime. A1/Hariharasudhan went to Chennai for his employment and for what reason he had not contacted the defacto complainant is not known. The defacto complainant abused the petitioners, there was wordy quarrel and exchange of blows, for which complaint was lodged.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (crl. side) would submit that A1 was in love with defacto complainant, married her and thereafter deserted her. He further submitted that the petitioners have not given any particulars with regard to the whereabouts of A1 and not stopping with that, the defacto complainant was assaulted by the petitioners badly. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, it is seen that the petitioners are the in-laws and it is the dispute between A1 and the defacto complainant and also the fact that A1 was already arrested and remanded to judicial custody, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 on which the order copy made ready, before the learned Additional Mahila Court, Tiruvarur, on condition that the petitioners shall execute a 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, 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 appear before the respondent police 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



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

-sd/-

26/05/2022

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
TIRUVARUR

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVARUR DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary charges Sr.7981

CRL OP.12588/2022

Date :26/05/2022

rvr 30/05/2022