



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

Friday, the Twenty Seventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12719 of 2022

1 N.ANUSHA
2 G.NAGARATHINAM
3 M.N.JAYANTHI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
TIRUVANNAMALAI ALL WOMEN POLICE STATION,
PAVAZHAKUNDUR, TIRUVANNAMALAI.
CR.NO.14 OF 2022.

[RESPONDENT]

For Petitioner : M/S.GOVIND CHANDRASEKHAR Advocate

For Respondent : Mr.C.E.Pratap Government Advocate (Crl. Side)

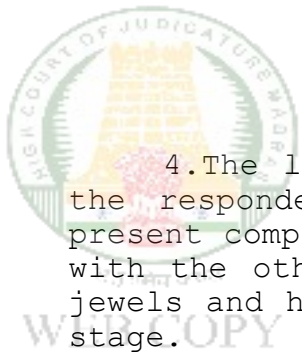
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under sections 498 - A and 377 of IPC and Section 4 of Dowry Prohibition Act, in Crime No.14 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are the sister - in - law, father - in - law and mother - in - law of the defacto complainant. The defacto complainant had married one Ganesh on 31.01.2021. There was matrimonial dispute in between the defacto complainant and her husband and she left the matrimonial home during July, 2021 and lodged the present complaint.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and further submitted that the defacto complainant had already filed domestic violence case and now she lodged the false complaint and the case has been registered on 12.04.2022. Accordingly, the learned counsel pray for grant of Anticipatory Bail to the petitioners.



4.The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the defacto complainant lodged the present complaint on the allegation that the petitioners herein along with the other accused demanded additional dowry of Rs.45,000/- and jewels and he further submitted that the investigation is at initial stage.

5.Heard the submissions made by the learned Counsel appearing for the petitioners and the learned Government Advocate (crl.side) appearing for the respondent.

6. Considering the fact that the case is due to matrimonial dispute and the fact that already domestic violence has been registered by the defacto complainant and that the petitioners are only in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners subject to imposing 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 I, Tiruvannamalai, on condition that each of the petitioners shall execute a 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 petitions for anticipatory bail shall 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 Court concerned 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 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]; and;



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

-sd/-

27/05/2022

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,
NO.I, TIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,
TIRUVANNAMALAI ALL WOMEN POLICE STATION,
PAVAZHAKUNDUR, TIRUVANNAMALAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.GOVIND CHANDRASEKHAR Advocate on payment of necessary charges Sr.8119

CRL OP.12719/2022

Date :27/05/2022

RVR 31/05/2022