



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13000 of 2022

1 B.M.SUJATHA
2 M.N.BASKAR

[PETITIONERS / ACCUSED]

Vs

THE STATE REPRESENTED BY
INSPECTOR OF POLICE,
W-29, ALL WOMEN POLICE STATION AVADI,
THIRUVALLUR, THIRUVALLUR DISTRICT
CRIME NO.7/2022

[RESPONDENT]

For Petitioner : M/S. S.SURESH Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

For Intervener : M/S.E.KANNADASAN, Advocate

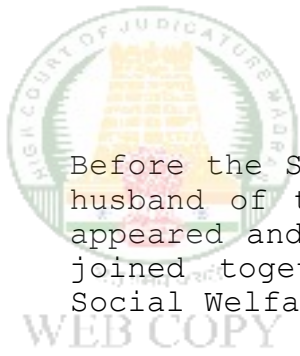
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 498(A) and 420 of IPC, in Crime No.7 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the petitioners abused the defacto complainant and also harassed her. It is also alleged that A1 who is the husband of the defacto complainant dissolved his earlier marriage and got married with the defacto complainant and cheated her. Hence the complaint.

3. The learned counsel for the petitioners would submit that already the petitioners were granted interim anticipatory bail by this Court on 01.06.2022 and further directed the petitioners to appear before the Social Welfare Officer, Thiruvallur District.



Before the Social Welfare Officer, the first accused who is being the husband of the defacto complainant and the defacto complainant also appeared and settled the issue amicably and also undertake that they joined together and living happily. The report submitted by the Social Welfare Officer also revealed the same.

4. The learned counsel for the Intervener submitted that the original documents such as passport etc., are in possession of the first accused.

5. The learned Additional Public Prosecutor submitted that as directed by this Court, the petitioners promptly appeared before the Social Welfare Officer and co-operated for the interrogation.

6. Considering the above fact and circumstances of the case, the custodial interrogation of the petitioners does not require in this case and 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, Ambattur, 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 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 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.

WEB COPY

-sd/-

24/06/2022

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,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 INSPECTOR OF POLICE,
W-29, ALL WOMEN POLICE STATION,
AVADI, THIRUVALLUR,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SOCIAL WELFARE COMMITTEE,
THIRUVALLUR DISTRICT.

+1 CC to M/S. S.SURESH Advocate on payment of necessary charges
SR.NO. 9964

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.NO. 10010

CRL OP.13000/2022

Date :24/06/2022

RW-30/06/2022