



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.12938 of 2022

DINAKARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION
AYANAVARAM POLICE STATION,
CHENNAI DISTRICT
CRIME NO.01/2022

[RESPONDENT]

For Petitioner : M/S.A.ARUN KUMAR Advocate

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

For Intervenor : M/S U.ANUNITHA Advocate

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 498(A) of IPC in Crime No. 01 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the husband of the defacto complainant. It is alleged that the petitioner had collected a sum of Rs.7,00,000/- from the defacto complainant as a dowry. Thereafter, the petitioner refused to live with the defacto complainant and started avoiding her. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner after marrying the defacto complainant demanded more dowry and also refused to live with her. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Mrs. Anunitha, learned Counsel appearing for the intervener would submit that, a petition for including other offences in the present FIR was also filed.

6. Considering the above facts and circumstances of the case, this Court is of the view that custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Metropolitan Magistrate No.V at Egmore, Chennai on condition that the petitioner 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 petitioner 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-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 METROPOLITAN MAGISTRATE NO.V,
EGMORE, CHENNAI

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

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION
AYANAVARAM POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CC to M/S.A.ARUN KUMAR Advocate on payment of necessary charges
Sr.9986

CRL OP.12938/2022

Date :24/06/2022

RVR 29/06/2022