



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13447 of 2022

R.NANCY

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU REP BY
THE INSPECTOR OF POLICE,
AWPS
VIRUDACHALAM,
CUDDALORE DISTRICT.
(CRIME NO.17 OF 2022)

[RESPONDENT]

For Petitioner : M/S.K.JAMBULINGAM 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 petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under **Sections 498(A), 294(b), 313, 494, 109 and 506(1) IPC** in Crime No.17 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and A1 are husband and wife. After the marriage, A1 and A7 used to harass the defacto complainant by demanding dowry. While so, A1 filed a petition for divorce in HMOP No.55 of 2019 before the learned Principal Subordinate Judge, Thittakudi and when the same was pending, A1 married one Sangeetha in the presence of A3 to A7. When the same was questioned by the defacto complainant, the accused abused and threatened her with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and she has been falsely implicated in this case since she happens to be the aunt of A1. Hence, he prays to grant anticipatory bail to the petitioner.

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4. The learned Additional Public Prosecutor would submit that there are totally 7 accused in this case and the petitioner is arrayed as A6 and she is the relative of A1. Hence, he opposed to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner is arrayed as A6 and she is the relative of A1. Further, already there is diverse petition pending between the defacto complainant and A1. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Thittakudi**, 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 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.

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-sd/-
10/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
THITTAKUDI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
AWPS, VIRUDACHALAM,
CUDDALORE DISTRICT.

+1 CC to M/S.K.JAMBULINGAM Advocate on payment of necessary charges SR.NO.9019

CRL OP.13447/2022

Date :10/06/2022

TA-20/06/2022