



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13892 of 2022

S.NIRUBAN CHAKRAVARTHY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
AWPS-VIRUDACHALAM,
CUDDALORE DISTRICT
(CRIME NO.17/2022)

[RESPONDENT]

For Petitioner : M/S.I.MERLIN Advocate

For Respondent : M/S.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 alleged offences punishable under Sections 498(A), 294(b), 313, 494, 109 and 506(1) of IPC in Crime No. 17 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the 1st accused/petitioner got married to the defacto complainant and it was an arranged marriage. After marriage, the 1st accused/petitioner consumed alcohol and harassed the defacto complainant and demanded dowry. Thereafter, the 1st accused/petitioner filed a petition for divorce in HMOP No.55 of 2019 before the Principal Subordinate Judge, Thittakudi and the same is pending. Meanwhile, the 1st accused/petitioner got married to another girl/2nd accused in the presence of A3 to A7. Hence, the defacto complainant filed a complaint before the respondent police and the respondent police registered a case against the petitioner.



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.

4. The learned Additional Public Prosecutor would submit that there are totally seven accused involved in this case. A1 is the husband of the defacto complainant and A1 got married to A2. He would further submit that A5 and A7 were already granted anticipatory bail. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact 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 his appearance, within a period of fifteen days from the date on which the order copy is 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 daily at 10.30 a.m for a period of four 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.

WEB COPY

-sd/-

21/06/2022

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,
THITTAKUDI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 INSPECTOR OF POLICE,
AWPS-VIRUDACHALAM,
CUDDALORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.I.MERLIN Advocate on payment of necessary charges
SR.NO.9624

CRL OP.13892/2022

Date :21/06/2022

RW-04/07/2022