



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

Monday, the Thirteenth day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.13544 of 2022

J.ARUNPRIYAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DHARAPURAM, TIRUPPUR
(CRIME NO.13/2022)

[RESPONDENT]

For Petitioner : M/S N.MANOCHARAN 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 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498-A and 506(ii) IPC r/w Section 4 of the Dowry Prohibition Act, in Crime No.13 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution, as per the defacto complainant is that the marriage between the petitioner and the defacto complainant took place on 08.03.2017 and that they are having a male child. Further allegation is that the petitioner left the country for the purpose of his higher studies in U.K. Further allegation is that after he came to his native place, the petitioner has harassed the defacto complainant and also criminally intimidated 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. He further submits that during Covid 19 pandemic situation, the petitioner has shifted his family members to his father in law's house at Dharapuram. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner demanded further dowry and harassed the defacto complainant by aborting two times. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 made ready, before the learned Judicial Magistrate, Dharapuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties one among the surety shall be a blood relative of the accused, 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 every day 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.

-sd/-

13/06/2022

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,
DHARAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DHARAPURAM, TIRUPPUR

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S N.MANOCHARAN Advocate on payment of necessary charges
Sr.9009

CRL OP.13544/2022

Date :13/06/2022

RVR 20/06/2022