



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.13849 of 2022

P.HARIHARAKRISHNAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION (EAST),
COIMBATORE,
COIMBATORE DISTRICT.
CRIME NO. 8 OF 2022

[RESPONDENT]

For Petitioner : M/S. N.MANOCHARAN 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 alleged offences punishable under Sections 406, 498-A and 506(ii) of IPC in Crime No 8 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner got married with the defacto complainant and at the time of marriage, the petitioner/husband of the defacto complainant demanded 50 sovereigns of gold. Thereafter they lived in a joint family and the defacto complainant got an appointment as a Teacher in Adwait Academy Higher Secondary School, Sowripalayam and that the petitioner visited once in a week to meet her. The petitioner utilised the absence of the defacto complainant, got married with another girl and she got six months pregnancy. When the defacto complainant had enquired about this, her mother-in-law and the pregnant lady had intimidated the defacto complainant with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The Additional Public Prosecutor would submit that there are totally three accused involved in this case. The petitioner is arrayed as A1. He would further submit that A2 and A3 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, Additional Mahila Court, Coimbatore, 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 Morning at 10.30 a.m and Evening at 5.30 p.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/-
21/06/2022

WEB COPY

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,
ADDITIONAL MAHILA COURT, COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION (EAST),
COIMBATORE,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. N.MANOCHARAN Advocate on payment of necessary charges SR.NO.9708

CRL OP.13849/2022

Date :21/06/2022

JPA 30/06/2022