



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.24120 of 2021

1 P.V.BALAJI [PETITIONERS / ACCUSED]
2 VASANTHA KUMAR
3 MANJULA DEVI

Vs

STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
POONAMALLEE,
CHENNAI.
CRIME NO.30 OF 2021.

For Petitioners : M/S.K.M.BALAJI 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 406 of IPC in Crime No. 30 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner got married to the defacto complainant's daughter on 26.11.2020. After marriage, the 1st petitioner and the defacto complainant continued their matrimonial life and thereafter, the petitioners harassed the defacto complainant's daughter and demanded dowry. Hence, the defacto complainant filed a complaint before the respondent police, and the respondent police registered a case against the petitioners.



3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the matter was referred to mediation for solving the matrimonial dispute pending between the parties and the mediation failed. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Poonamallee, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 1st 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 and the 2nd and 3rd petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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,
NO.II, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, POONAMALLEE,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.K.M.BALAJI Advocate on payment of necessary charges
SR.NO.9639

CRL OP.24120/2021

Date :21/06/2022

JPA 04/07/2022