



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.25001 of 2021

1 K.JAYACHANDRAN
2 KUPPUSWAMY
3 KALAVATHY
4 K.ARUN KUMAR

[PETITIONERS / ACCUSED]

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
W25, ALL WOMEN POLICE STATION,
T.NAGAR, CHENNAI
(CRIME NO.06 OF 2021)

[RESPONDENT]

For Petitioners : M/S.S.THANKIRA Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

For Intervenor : M/S.V.PAVAN KUMAR Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406, 498 A, 506 (ii) r/w 34 of Indian Penal Code, 1860 in Crime No.06 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of first petitioner. The first petitioner insisted Rs.13,00,000/- from the defacto complainant as dowry. It is alleged that the petitioners shouted the defacto complainant with unparliamentary words and threatened her showing sharp knife. Hence, the complaint was registered.



3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners were abused the defacto complainant and made dowry harassment on her. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, 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 made ready, before the learned XVII Metropolitan Magistrate, Saidapet, Chennai on condition that each of the petitioners 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 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 first petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation; 2nd to 4th 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/-
17/06/2022

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 XVII METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
W25, ALL WOMEN POLICE STATION,
T.NAGAR, CHENNAI

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.S.THANKIRA Advocate on payment of necessary charges
SR.NO.9489

CRL OP.25001/2021

Date :17/06/2022

JPA 22/06/2022