



Crl. O.P. No.21692 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 498(A) and 406 of IPC in connection with the Cr. No.12 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the defacto complainant and the accused was solemnized on 17.03.2018, that the accused demanded money for his luxurious life, that the defacto complainant also obtained loan and gave to him, that the defacto complainant gave her salary to him every month, that he had obtained 10 sovereigns of gold jewellery and Rs.30 to 35 lakhs cash from her and ever after, he demanded Rs.10 lakhs to start his new business and caused cruelty to the defacto complainant. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent, that the defacto complainant has given false complaint against the petitioner and she is demanding Rs.50 lakhs as compensation to withdraw this complaint, that as the accused has not accepted the same, she has lodged this false complaint, that the respondent



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police have filed charge sheet and the same was taken on file in C.C.

No.36 of 2024 on the file of Additional Mahila Court, Egmore, Chennai and the petitioner, only after receiving summons from the Court, came to know about the case and he is ready to abide by any condition imposed by this Court. Hence he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would contend that there is a matrimonial dispute and the petitioner is the husband of the defacto complainant, demanded money and caused cruelty to her. Hence he objected for the grant of anticipatory bail. Further he submitted that no previous case is pending against the petitioners, that investigation was completed and charge sheet was filed and the same was taken on file in C.C. No.36 of 2024 on the file of Additional Mahila Court, Egmore, Chennai.

5. Heard both sides and perused the materials available on record.

6. Considering the arguments putforth on either side, considering the fact that there is a matrimonial dispute between the parties, that



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investigation was completed and charge sheet was also filed and that no previous case is pending against the petitioner and considering the nature of offences involved in this case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. 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 **Additional Metropolitan Magistrate, Egmore, Chennai** on condition that 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the Additional Metropolitan Magistrate, Egmore, Chennai on every Monday at 10.00 a.m. for a period of 4 weeks.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;



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[c] the petitioner shall not leave India without the previous permission of the Court;

[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 269 B.N.S.2023.

05.09.2024

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P.DHANABAL,J
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To

- 1.The Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai
- 2.The Inspector of Police, W8 All Women Police Station, Thirumangalam, Chennai.
- 3.The Public Prosecutor, High Court, Madras.



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