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CrI.O.P.No. 31244 of 2024

CRL OP NO. 31244 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31244 of 2024

Sanjay

S/o. Sekar, 39/M, Asokar Street, Ambur,
Tirupattur (District) 635 814

Petitioner(s)

Versus

The Inspector Of Police,
Ambur Town Police Station, Tirupattur (district).
Crime No.991 Of 2021

Respondent(s)

Criminal Original Petition filed u/s. 482 of BNSS Act, 2023 praying to enlarge the petitioner on anticipatory bail in the event of their arrest by the respondent police in Crime No. 991 of 2021 on the file of the respondent police.

For Petitioner(s): Pachaiyappan S

For Respondent(s): Mr.S.Santhosh, Govt. Adv. Crl.Side.

ORDER

Apprehending arrest in connection with Crime No.991 of 2024 registered for the offences punishable under Sections 174(3) of Code of



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Criminal Procedure @ under Section 306 of IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submits that the petitioner is innocent and the daughter of the de-facto complainant had committed suicide due to a matrimonial dispute. He would further submits that there is no demand of dowry from the deceased. He would further submits that enquiry was conducted by the DRO. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner married the daughter of the de-facto complainant. It is alleged that after their marriage, the petitioner had assaulted & tortured the de-facto complainant's daughter and demanded more dowry from her. It is further alleged that on 31.12.2021, the defacto



complainant's daughter was found deceased having apparently taken her own life by hanging. He would further submits that one previous case which is under Section 307 pending against the petitioner.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Ambur, Tirupattur District**, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner and the sureties shall affix his



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;

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m for a period of two weeks and thereafter, every Saturday at 10.30 am until further orders;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

16.12.2024

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To

1. The Inspector Of Police,
Ambur Town Police Station,
Tirupattur (district).
Crime No.991 Of 2021

2.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

MSM

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