

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20288 of 2018

1 V.CHANDRAMOHAN [PETITIONERS / ACCUSED]
2 PRADEEP KUMAR
3 SHANTHI
4 KANIMOZHI

Vs

STATE REP. BY: [RESPONDENT]
INSPECTOR OF POLICE (L & O),
THUDIYALUR POLICE STATION,
COIMBATORE.
CR. NO. 524 OF 2018.

For Petitioner : M/S.A.E.RAVICHANDRAN Advocate

For Respondent : MR.C.IYYAPPARAJ, 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 offence under Sections 294(b), 353, 341, 506(ii) I.P.C. r/w Section 4 of Women Harassment Act in Cr.No.524 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are alleged to have threatened the defacto complainant who is a District Social Welfare Officer and prevented the defacto complainant from doing the lawful duty.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor would submit that the petitioners threatened and abused the defacto complainant and prevented the defacto complainant from performing her lawful duty. He would further submit that there is no previous case as against the petitioners.

5.Considering the fact that there is no previous case as against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned Judicial Magistrate-1, Coimbatore on condition that the petitioners shall execute a 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the 2nd petitioner shall report before the respondent police daily at 10.30 a.m. until further orders; the petitioners 1, 3 and 4 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 petitioner 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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
20/08/2018

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.I, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

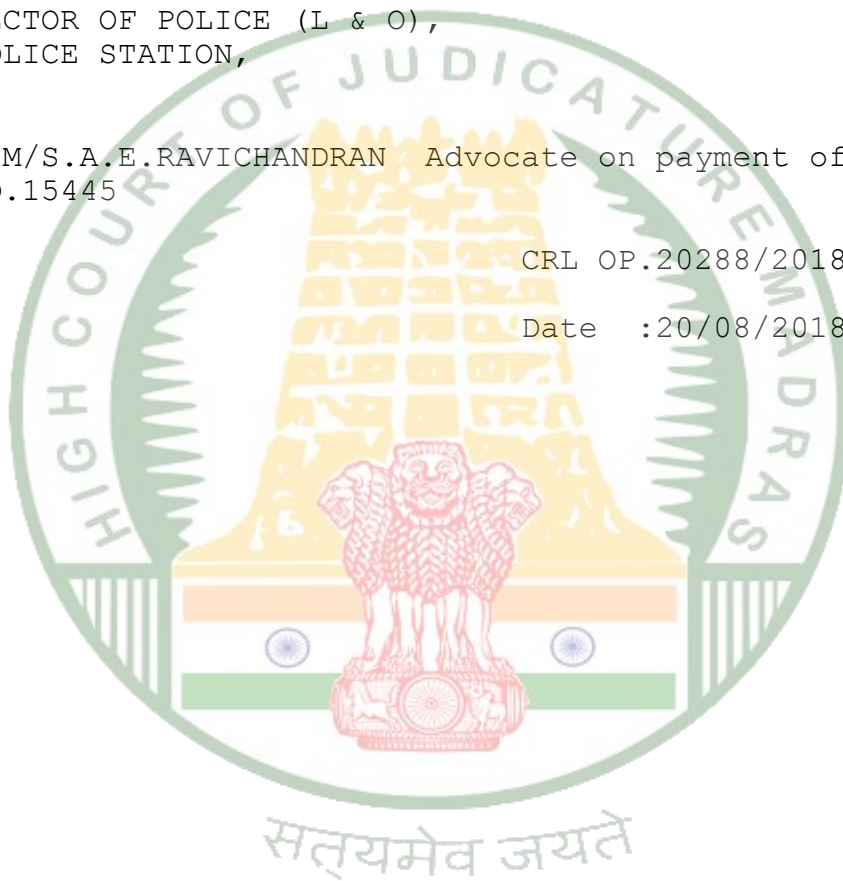
4 THE INSPECTOR OF POLICE (L & O),
THUDIYALUR POLICE STATION,
COIMBATORE.

+1CC to M/S.A.E.RAVICHANDRAN Advocate on payment of necessary
charges SR NO.15445

CRL OP.20288/2018

Date :20/08/2018

MK:24/08/2018



WEB COPY