

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirtieth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N.SATHISH KUMAR

CRIMINAL ORIGINAL PETITION No.14025 of 2018

S.RANGANATHAN,

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE SUB INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
VELLORE DISTRICT.
CR.NO.477 OF 2015.

[RESPONDENT]

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : MRS.M.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence punishable u/s.354, 294[b], 506[i] of IPC in Crime No.477/2018, seek anticipatory bail.

2. The case of the prosecution is that the petitioner, an Ex-Councilor, sexually harassed the defacto complainant while her husband was in abroad.

3.Heard both sides.

4.The learned counsel for the petitioner submits that the petitioner is falsely implicated in the case and that he is nothing to do with the alleged offence.

5.The learned Additional Public Prosecutor submitted that the investigation is completed and Absconding charge sheet has already been filed in CC.No.25/2018 on the file of the Court of Judicial Magistrate No.2, Walaja and the same is pending without issuance of any summons.

6.It appears that the petitioner as already been charge sheeted and is shown as an absconding accused and the Trial Court has not issued any summons. Having regard to the nature of allegations found in the complaint, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner 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, No.II, Walaja, on condition that the petitioner 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 petitioner shall report before the Trial Court daily at 10.30 a.m., until further orders and shall also appear before the said court on all dates of hearing without fail.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
30/05/2018

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.II, WALAJA.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
VELLORE DISTRICT

+1 CC to M/S.R.SASIKUMAR Advocate on payment of necessary
charges-Sr.9835

CRL OP.14025/2018

Date :30/05/2018

ths : 31.05.2018