

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Third day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.19318 of 2018

1 S.JAYARAMAIAH, [PETITIONERS / ACCUSED]
2 G.MUNIAMMAL,

Vs

THE STATE REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TAMBARAM, KANCHEEPURAM DISTRICT.
CR.NO.8 OF 2018.

For Petitioner : M/S.K.VENKATESWARAN Advocate

For Respondent : MR. M.MOHAMED RIYAZ, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner seeks anticipatory bail in Crime No.8 of 2018 registered by the respondent police for the offence punishable under Sections 417, 420 and 506(ii) of IPC.

2. The case of the prosecution is that the petitioners are alleged to have given a life threat to the defacto-complainant.

3. The learned counsel for the petitioners are innocent and they have been falsely implicated in this case.

3. The learned Additional Public Prosecutor appearing for the State would submit that the son of the petitioners had promised the defacto-complainant that he would marry her and thereafter, he failed to do so and the petitioners had also given a life threat to the defacto-complainant.

4. Taking into consideration the facts and circumstances of the case and the submissions made by the counsels, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tambaram 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 to the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily as and when required for investigation.

(iii) the petitioners shall file an affidavit before the learned Special Judge, TNPID Court, Chennai stating that she will co-operate with the respondent in the attachment proceedings.

(iv) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(v) the petitioners shall not abscond either during investigation or trial;

(vi) 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]**;

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

-sd/-

03/08/2018

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,
TAMBARAM, CHENNAI.

2 THE SPECIAL JUDGE,
TNPID COURT, CHENNAI.

3 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

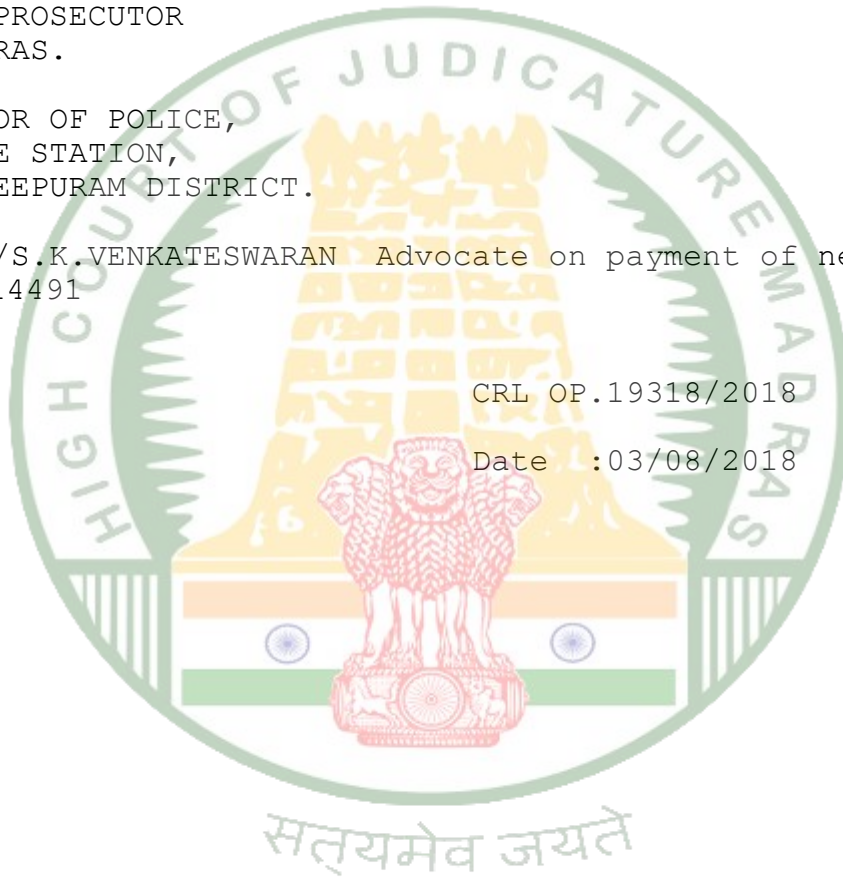
5 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TAMBARAM, KANCHEEPURAM DISTRICT.

+1 CC to M/S.K.VENKATESWARAN Advocate on payment of necessary
charges SR.NO. 14491

CRL OP.19318/2018

Date :03/08/2018

TA-06/08/2018



WEB COPY