

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of March Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6271 of 2020

T.SIVAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP. BY [RESPONDENT]

INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CUDDALORE DISTRICT.
(CR. NO. NOT KNOWN OF 2020)

For Petitioner : M/S. K.KARUPPAIYAMOOPPANAR 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 :-

Apprehending arrest at the hands of the respondent police for alleged offences punishable under sections 417, 109 & 506(i) I.P.C., in Crime No.not known of 2020, the petitioner has come forward with this petition seeking anticipatory bail.

2.The case of the prosecution is that, the defacto complainant has lodged the present complaint against the petitioner herein for the allegation that he had made a false promise to marry her and now, he refused to marry her.

3.Learned Additional Public Prosecutor appearing for the State would submit that there was a marriage proposal between the petitioner and the defacto complainant but later, it was dropped at the instance of the petitioner. He would further submit that the petition enquiry is pending.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

5.Taking note of the fact that there was a marriage proposal between the petitioner and the defacto complainant and later, it was dropped at the instance of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner for the present. 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

Judicial Magistrate No.1, Chidambaram, Cuddalore 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their 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.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

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

[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 229A IPC.

-sd/-
18/03/2020

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,
CHIDAMBARAM, CUDDALORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

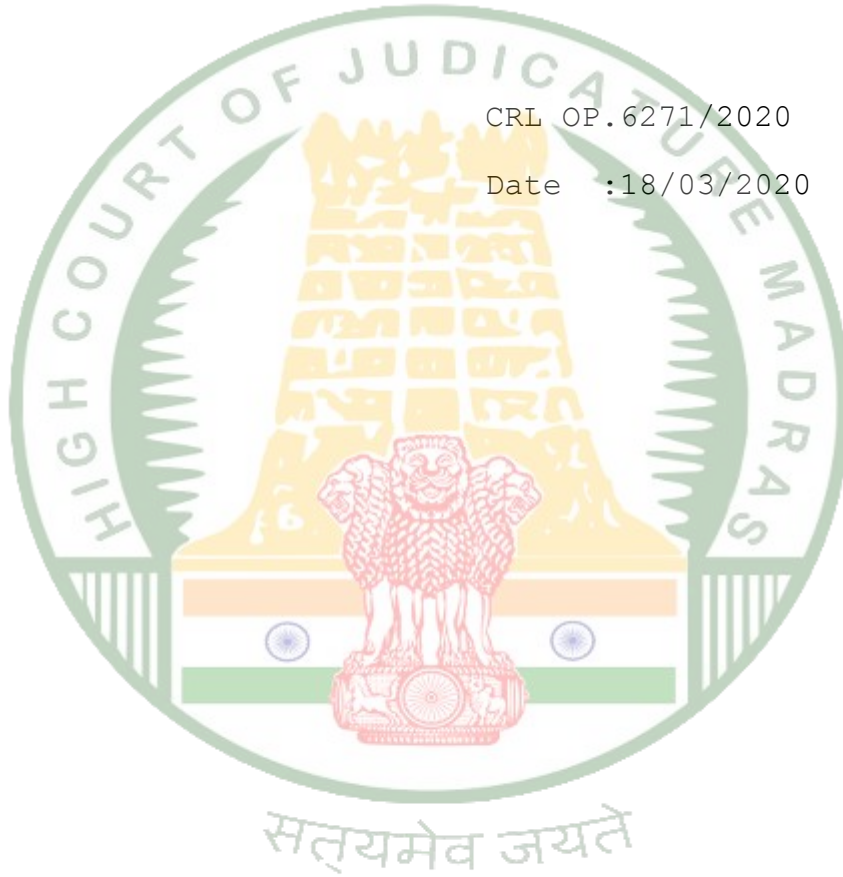
4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CUDDALORE DISTRICT.

+1 CC to M/S. K.KARUPPAIYAMOOPPANAR Advocate on payment of
necessary charges SR.No.5342

CRL OP.6271/2020

Date :18/03/2020

cs 15/04/2020



WEB COPY