

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)
Monday, the First day of June Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA
CRIMINAL ORIGINAL PETITION No.6960 of 2020

SUMITHRA PARTHIBAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY [RESPONDENT]
INSPECTOR OF POLICE,
ANAIKUT POLICE STATION,
VELLORE DISTRICT.
CR. NO. NOT KNOWN OF 2020

For Petitioner : M/S. KARAN AND UDAY Advocate

For Respondent : MR. K.PRABAKAR, Additional 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 offences punishable under **Sections 294(b) , 354(A) and 506(2) of IPC and Section 4 of Women Harassment Act, in Crime No.59 of 2020** on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner is working as apprentice in the Tamilnadu Electricity Board, Anaicut Division, Vellore. While so, the petitioner along with other accused has scolded the defacto complainant in abusive language and unparliamentary words and thereby caused sexual harassment to the defacto complainant. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has used unparliamentary words against the defacto complainant at the work place and thereby caused sexual harassment. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

6. 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-V, Vellore District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **one surety** 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 condition that:

[a] the petitioner and the surety 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

01/06/2020

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.V, VELLORE DISTRICT

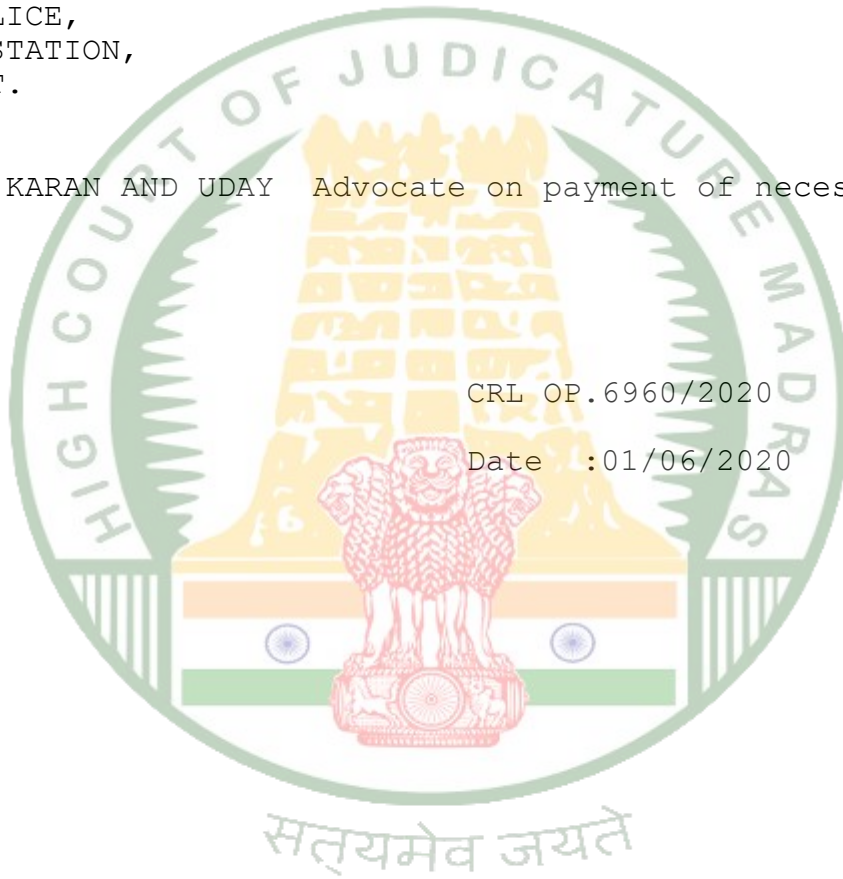
2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATE REP. BY
INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
VELLORE DISTRICT.

CC to M/S. KARAN AND UDAY Advocate on payment of necessary
charges

rd 05/06/2020



CRL OP.6960/2020

Date :01/06/2020

WEB COPY