

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.10225 of 2020

1. Anwar @ Anvardeen

2. Sidiq @ Mohamed Abubakkar Sidiq

...Petitioners

Vs.

State rep. by the
Inspector of Police,
Manargudi All Women's Police Station,
Thiruvarur District.
(Crime No.04 of 2020)

.... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their
arrest in Crime No.04 of 2020 on the file of the Inspector of Police,
Mannargudi All Women's Police Station, Thiruvarur District.

For Petitioners : Mr.P.Muthamizh Selvakumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

The petitioners who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
506(i) IPC and Section 4 of Tamil Nadu Prohibition of Women's
Harassment Act, in Crime No.04 of 2020, seek anticipatory bail.

2. The case of the prosecution is that there was a previous
enmity between the petitioners and the de-facto complainant's fiancé,
as a result of which, the petitioners had abused the de-facto
complainant and threatened him with dire consequences.

3. The learned counsel for the petitioners would submit that the
petitioners are innocent persons and they have not committed any
offence as alleged by the prosecution. Therefore, he prays to grant
anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that
there was a previous enmity between the petitioners and the de-facto
complainant's fiancée, as a result of which, the petitioners had
abused the de-facto complainant and threatened him with dire
consequences. He would further submit that the de-facto complainant
and his fiancée are from different religions. He would further
submit that there is no previous case pending as against the

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate Court No-I, Mannargudi, on condition that each of the petitioners shall execute a separate 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 condition that:

[a] the petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, 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 petitioners 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].

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

-sd/-

07/07/2020

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, MANNARGUDI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

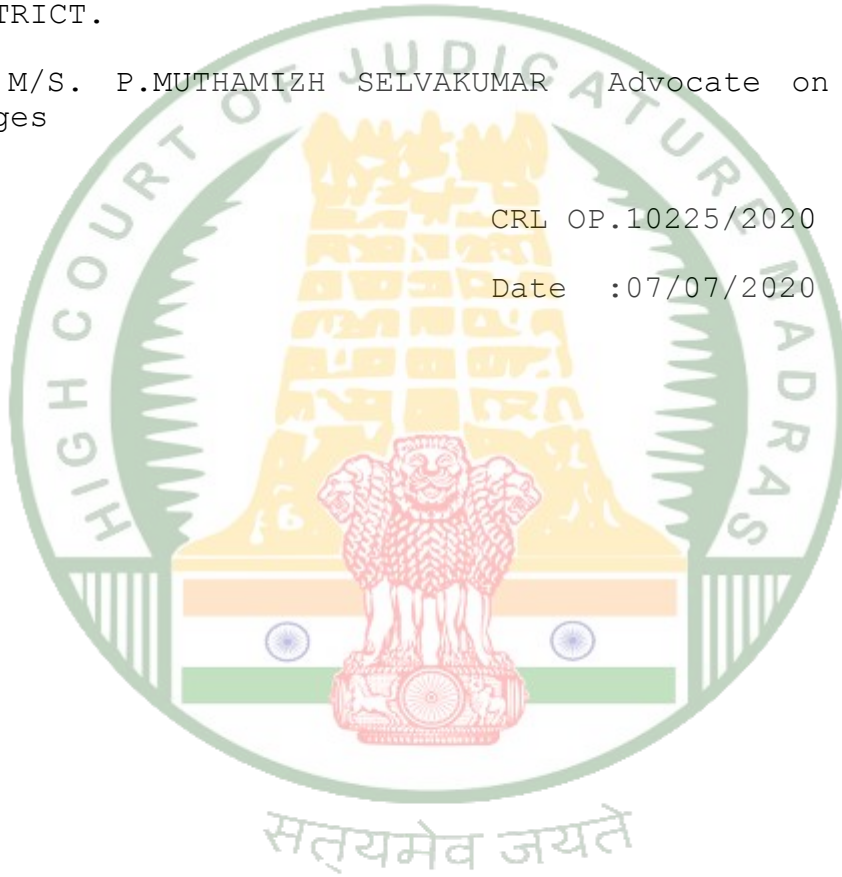
3 THE INSPECTOR OF POLICE,
MANARGUDI ALL WOMENS POLICE STATION,
THIRUVARUR DISTRICT.

CC to M/S. P.MUTHAMIZH SELVAKUMAR Advocate on payment of
necessary charges

CRL OP.10225/2020

Date :07/07/2020

RVR 01/09/2020



WEB COPY