

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.3653 of 2021

D.Ramesh

... Petitioner

Vs.

... Respondent

The State Represented by
The Inspector of Police,
W-19, All Women Police Station,
Adayar, Chennai - 600 020
Crime No.6 of 2020.

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C, prayed to enlarge the petitioner in the event of his arrest in Cr.No.6 of 2020 pending investigation on the file of the respondent Police.

For Petitioner : Mr.G. Purusothaman

For Respondent : Mr.C.E. Pratap
Government Advocate (Crl side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120B, 417, 406, 56E, 420, 468, 506(i) of I.P.C in Cr.No.6 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.Totally there are five accused in this case and the petitioner herein arrayed as A5. The case of the prosecution is that A1 published a fake message in face book by stating that one Pavithra and A1 got married. It is further alleged that the petitioner stood as a witness for the marriage. Hence, the respondent police registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the co-accused has been enlarged on bail by Crl.M.P.No.1629 of 2020. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Heard the learned Government Advocate (Crl.Side) appearing for the respondent.

5. Considering the facts and circumstances of the case and the fact that the co-accused has been enlarged on bail by the Court below, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned **IX Metropolitan Magistrate Saidapet, Chennai** 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 and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 daily at 10.30 a.m for a period of two weeks and thereafter 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 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]**; and;

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

-sd/-

02/07/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE METROPOLITAN MAGISTRATE,
NO.IX, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

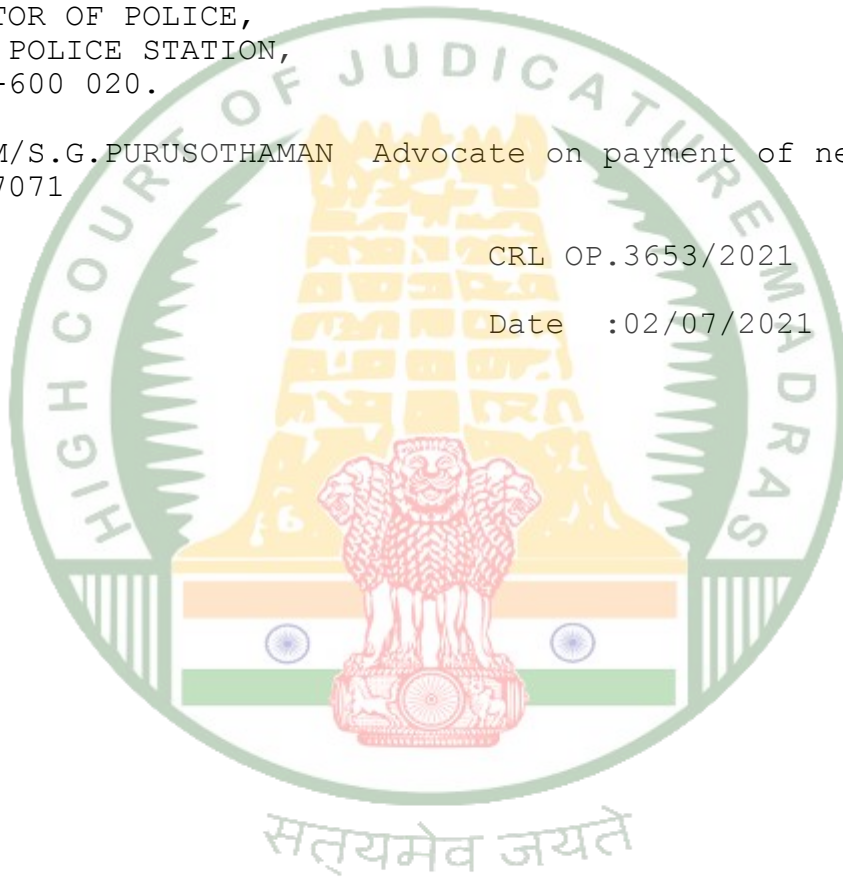
4 THE INSPECTOR OF POLICE,
W-19 ALL WOMEN POLICE STATION,
ADYAR, CHENNAI-600 020.

+1 CC to M/S.G.PURUSOTHAMAN Advocate on payment of necessary
charges SR.NO.7071

CRL OP.3653/2021

Date :02/07/2021

TA-12/07/2021



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