

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.4662 of 2021

1 KASINATHAN
2 PANDIARAJA
3 MAGESWARI
4 SARANYA
5 BHAGAVATHI

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR,
THIRUVALLUR DISTRICT.
CIRME NO.05/2020

[RESPONDENT]

For Petitioner : M/S.R.RAJAN Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 354D, 420 of I.P.C. in Cr.No.05 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 and defacto complainant are lovers and thereafter A1 refused to marry defacto complainant. The petitioners are relatives of A1 and they are alleged to have prevented A1 from marrying the defacto complainant.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case.

4. The learned Additional Public Prosecutor submitted that A1 has already been granted anticipatory bail.

5. Considering the fact that A1 has already been granted anticipatory bail, 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 Judicial Magistrate No.II at Thiruvallur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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/-
16/04/2021

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.II AT THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

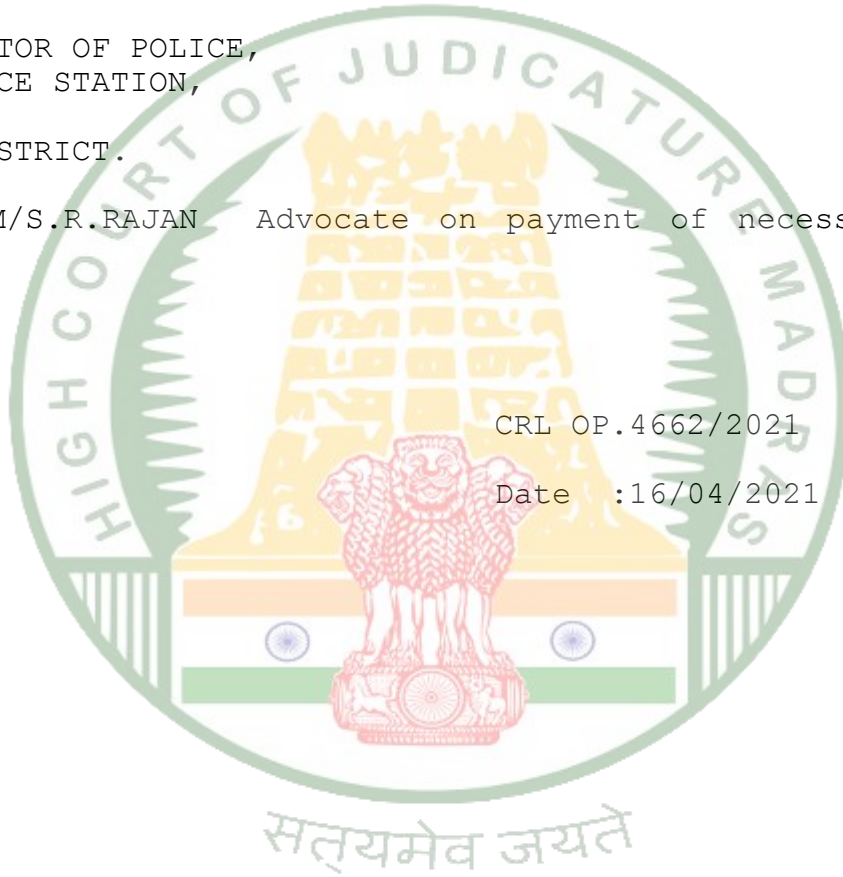
4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR,
THIRUVALLUR DISTRICT.

+1 CC to M/S.R.RAJAN Advocate on payment of necessary charges
SR.No.4904

cs 19/04/2021

CRL OP.4662/2021

Date :16/04/2021



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