



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

WEB COPY

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.12276 of 2021

Deepa

... Petitioner

Vs.

State Rep by its
The Inspector of Police,
Anaicut Police Station,
Vellore District.
Crime No.59 of 2020.

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C, prayed to enlarge the petitioner on bail in the event of his arrest in connection with the Crime No.59 of 2020 pending investigation on the file of respondent police.

For Petitioner : Mr.M. Sathish Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (Cr1 side)

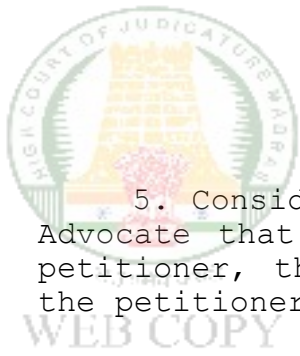
ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(a), 354(a) and 506(ii) of I.P.C r/w Section 4 of Tamil Nadu Prohibition 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 is that the the petitioner and the defacto complainant are working in Electricity Department and the petitioner joined hands with others and sexually harassed the defacto complainant. Hence, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate appearing for the respondent submits that the petitioner sexually harassed the defacto complainant and disciplinary proceedings are initiated against the petitioner. Hence he opposed for grant of anticipatory bail to the petitioner.



5. Considering the submissions made by the learned Government Advocate that disciplinary proceedings are initiated against the petitioner, 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 Additional Mahila Court, Vellore, Vellore 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 and on further condition that:

(a) if the petitioner fail to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the respondent police as and when required for interrogation.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]; and;



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

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-sd/-
16/07/2021

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 ADDITIONAL MAHILA COURT,
VELLORE, VELLORE DISTRICT.

2 THE INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
VELLORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S M.SATHISH KUMAR Advocate on payment of necessary charges SR NO.7542

CRL OP.12276/2021

Date :16/07/2021

MK:28/07/2021