

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.06.2021

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.8465 & 8395 of 2021

George Felix Raja ..Petitioner in Crl.OP.No.8465 of 2021

J.Vinoth ..Petitioner in Crl.OP.No.8395 of 2021

-Vs-

The State Rep. by
The Inspector of Police,
All Women Police Station,
Adyar, Chennai.
(Cr.No.1 of 2021)

..Respondent in both the petitions

Common Prayer: Criminal Original petitions filed under Section 438 of Cr.PC to enlarge the petitioners on bail in the event of their arrest in Crime No.1 of 2021 pending on the file of the respondent police.

For Petitioners : Mr.J.Arul (in Crl.OP.No.8465 of 2021)
Mr.L.S.M.Hasan Fizal (in Crl.OP.No.8465 of 2021)

For Respondent: Mr.A.Gopinath
Government Advocate
(Criminal Side)

COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 376, 294(b), 506(i) of IPC in Crime No.1 of 2021, on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution is that A1 had love affair with the defacto complainant, however, he refused to marry her. The petitioners and his family members threatened the defacto complainant. The petitioners are arrayed as A1 and A6.

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

4. The learned Government Advocate appearing for the respondent submitted that co-accused have been already released on bail in CrI.OP.No.6585 of 2021 dated 15.04.2021 by this Court.

5. Taking into consideration of the facts and submissions made by the learned counsel and the fact that co-accused have already released on bail, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 of receipt of a copy of this order, before the learned Additional Mahila Court, Alandur, on condition that the petitioners shall execute 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 and on further condition that:

(a) 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 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 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;

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

-sd/-
16/06/2021

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,
ALANDUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ADYAR, CHENNAI.

+1 CC to M/S.J.ARUL Advocate on payment of necessary charges
SR.No.6538

CRL OP.Nos.8465 & 8395/2021

cs 02/07/2021

Date:16/06/2021

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