

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2021

CORAM

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Crl.O.P. No. 8711 of 2021

1. V. Udayakumar
2. P. Bhavani
3. B.U. Praveen Kumar

.. Petitioners

Versus

State rep.by
The Inspector of Police
M-6, Manali Police Station
Manali,
Chennai - 600 068

.. Respondent

Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioners on bail in the event of their arrest or they may be permitted to surrender before the Thiruvottriyur Judicial Magistrate and direct the said Magistrate to release the petitioners on their surrender.

For Petitioners : Mr. P. Elavarasan

For Respondent : Mr. T. Shunmugarajeswaran
Government Advocate, (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest for the alleged offences under Sections 147, 427, 323, 506(i) of IPC and under Section 4 of the Tamil Nadu Prohibition of Women Harassment Act in Crime No. 112 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a divorcee and she is a Television Serial artist. The third petitioner is a Producer of a TV serial in which the defacto complainant was acting. During the course of such serial production, they developed an affair and marriage proposals were made, but, due to misunderstanding between them, their relationship strained and the defacto complainant refused to marry the third petitioner. In this context, it is alleged that the third petitioner, at the instigation of the petitioners 1 and 2, attempted to outrage the modesty of the defacto complainant and also physically assaulted her, hence, the complaint.

3.The learned counsel appearing for the petitioners submit that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (crl.side) appearing for the respondent/police submitted that on the basis of the complaint given by the defacto complainant, in which a cognisable offence has been made out, the case in Crime No. 112 of 2021 was registered and investigation is pending.

5.Taking note of the facts and circumstances and the submissions made, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are directed to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Thiruvottriyur on condition that the petitioners 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, 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.

[c] 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].

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

-sd/-

12/05/2021

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,
THIRUVOTTRIYUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
M-6 MANALI POLICE STATION,
MANALI, CHENNAI-600 068

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.P.ELAVARASAN Advocate on payment of necessary charges Sr. 6083

CRL OP.8711/2021

सत्यमेव जयते Date :12/05/2021

RVR 18/06/2021

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