IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of May Two Thousand Twenty One

PRESENT

The Hon`ble Ms Justice R.N. MANJULA

CRIMINAL ORIGINAL PETITION No.8509 of 2021

1 S.VINOTHKUMAR @ VINOTH [PETITIONERS / ACCUSED]
2 V.MAHALAKSHMI
3 G.MADHAN @ MADHANKUMAR
4 K.JEGAN
5 D.RAMESH
6 V.PAPITHA @ LALITHA

Vs

STATE REP.BY [RESPONDENT]
THE SUB-INSPECTOR OF POLICE,
MAGARAL POLICE STATION,
KANCHEEPURAM DISTRICT.
CRIME NO.155 OF 2021.

For Petitioner : M/S. G.PUNNIAKOTI Advocate

For Respondent :MR. T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl. Side)

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 offences punishable under Sections 147, 148, 341, 294(b), 323 , 324, 427 and 506(ii) of I.P.C. and Section 4 of Women Harassment Act in Crime No. 155 of 2021 seek anticipatory bail.

2. The case of the prosecution is that on account of previous enmity, there is a wordy quarrel between the petitioners and the de-facto complainant, due to which petitioners attacked the de-facto complainant and abused and harassed the de-facto complainant.Hence, the case came to be registered against them.

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

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https://hcservices.ecourts.gov.in/hcservices/

4. The learned Government Advocate (Crl.side) submits that the investigation is pending. He further submits that the A1 and A2 were already released on bail. However, opposed for grant of anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. The accused shall not contact the de-facto complainant and go to her residence and further shall not harass or intimidate her directly or indirectly in any way. 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 on which the order copy made ready, before the Judicial Magistrate -I , Kancheepuram on condition that each of the petitioners 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, 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.

[b] the petitioners 1,3,4 and 5 shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation. The second and sixth petitioners who are ladies shall report before the respondent police 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].

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

-sd/-
06/05/2021

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,
NO.I, KANCHEEPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU(FOR INFORMATION)

3 THE SUB-INSPECTOR OF POLICE,
MAGARAL POLICE STATION,
KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. G.PUNNIAKOTI Advocate on payment of necessary charges Sr.6009

CRL OP.8509/2021

Date :06/05/2021

RVR 12/05/2021

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