

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2021

CORAM

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Cr1.O.P.No.8556 of 2021

Ganesan

.. Petitioner

Vs.

The State rep. by  
The Inspector of Police  
Erode Taluk Police Station,  
Erode District  
Crime No.194 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.194 of 2021 on the file of the respondent police.

For Petitioner : Mr.T.N.Rangesh Kanna

For Respondent : Mr.T.Shunmugarajeswaran  
Government Advocate (Cr1. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offences under Sections 120(B), 342, 323, 324, 336, 508, 506(ii) of IPC and 75 of Juvenile Justice Act 2015, in Crime No.194 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's daughter one Ranjitha (A2) was given in marriage to one Ramalingam, who is arrayed as A4 in this case and they have two children. Prior to six years, he had married one Indumathi (A3) and the daughter of the de-facto complainant had also accepted their marriage and they are living jointly. On 23.02.2021 at 9.00 a.m, the grand sons of the de-facto complainant went to the de-facto complainant's house and informed her that the said Ranjitha, Ramalingam, Indumathi, and one Sasi @ Dhanalakshmi were trying to sacrifice the children in the

name of god, due to which they fled away from the scene of occurrence. Thereafter, when the de-facto complainant questioned the act done by the accused persons, they abused the de-facto complainant and threatened her with dire consequences. Hence, the case came to be registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an unnamed accused and he has nothing to with the alleged offence. The only allegation against the petitioner is that he has given shelter to the accused persons. He would further submit that based on the confession given by the fourth accused, he has been roped in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that there are totally six accused in this case and the petitioner is A6. He would further submit that A1 to A5 have already been arrested and they are still in custody. He opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Erode, 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, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his 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 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 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,  
NO.I, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE  
ERODE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
ERODE TALUK POLICE STATION,  
ERODE DISTRICT.

+1 CC to M/S.T.N.RANGESH KANNA Advocate on payment of necessary charges SR.No.6139

CRL OP.8556/2021

Date :12/05/2021

cs 27/05/2021