

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2021

CORAM:

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

CRL.O.P.No.10229 of 2021

Ramar

... Petitioner

Vs.

State Rep. by

The Inspector of Police,
Elavanasur Kottai Police Station,
Villupuram District.
Crime No.196 of 2021

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, to enlarge the petitioner on Bail in the event of his arrest in connection with in Crime No.196 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.D.Dayalan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under sections 294(b) & 506(i) IPC r/w section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in crime No.196 of 2021 and seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, the only accused used unparliamentary words against the defacto complainant on 31.05.2021 and had caused criminal intimidation.

3. It is the case of the petitioner that he is no way involved in the commission of the alleged offences. According to him, as a counter blast to the representation given by the petitioner to Ulundurpet Tahsildar and Revenue department officer against the husband of the defacto complainant that they are illegally cutting the trees, a false complaint came to be lodged against the petitioner.

4. After giving due consideration to the aforementioned factors and in view of the fact that no injury has been caused to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners subject to the fulfillment of certain conditions.

5. Accordingly, the petitioner is 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 lifting of lock down or commencement of Courts normal functioning whichever is earlier before the learned 1st Additional District Munsif cum Judicial Magistrate No.1, Ulundurpet on condition that each of the petitioners shall execute separate bonds 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 petitioner 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 petitioner shall report before the respondent police as and when required.

[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 abscond/s, a fresh FIR can be registered under Section 229A IPC.

6. With the aforesaid directions, this Criminal Original Petition stands ordered.

-sd/-
11/06/2021

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 1ST ADDITIONAL DISTRICT
MUNSIF CUM JUDICIAL MAGISTRATE NO.I,
ULUNDURPET.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ELAVANASUR KOTTAI POLICE STATION,
VILLUPURAM DISTRICT.

+1 CC to M/S.D.DAYALAN Advocate on payment of necessary charges
SR.No.6451

सत्यमेव जयते

CRL OP.10229/2021

Date :11/06/2021

cs 28/06/2021

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