



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.12569 of 2021

G.Thiimal

... Petitioner

Vs.

The State Represented by :-
Inspector of Police,
Natrampalli Police Station,
Tiruppathur District.
(Crime No.81 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.81 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.D.Jagadeesan

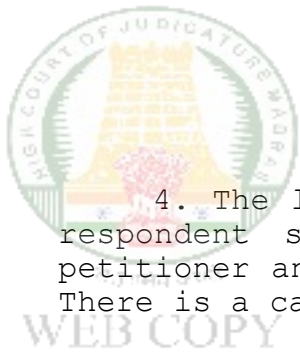
For Respondent : Mr.A.Gopinath
Government Advocate (Crl side)

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 341, 354A (i)(ii), 506(ii) of IPC read with Section 4 of the TNWH Act in Cr.No.81 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are neighbours and a wordy quarrel arose between them. Due to which, the petitioner threatened the defacto complainant with dire consequences. The respondent police have registered FIR based on complaint given by the defacto complainant.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he is not committed any offence as alleged by the prosecution and he is no way connected in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (crl. side) appearing for the respondent submitted that there was a wordy quarrel between the petitioner and the defacto complainant and no one sustained injuries. There is a case in counter.

5. Considering the facts and circumstances of the case and also the fact that no one sustained injuries and there is a case in counter, this court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-III, Tirupathur District, 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 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 Court concerned 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 petitioners 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.

WEB COPY

-sd/-
22/07/2021

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.III, TIRUPATHUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
NATRAMPALLI POLICE STATION,
TIRUPPATHUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. D.JAGADEESAN Advocate on payment of necessary charges S.R. NO. 7653

CRL OP.12569/2021

Date :22/07/2021

JPA 29/07/2021