



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.13006 of 2021

R.Raghu

... Petitioner

Vs.

State by,
The Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai.
(Crime No.16 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C prayed to enlarge the petitioner on bail in the event of petitioner's arrest by the respondent police in the case pending investigation in Crime No.16 of 2021 on the file of the respondent police.

For Petitioner : Mr.A.Madhumathi

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence under Section under Section 417, 376, 392, 323 and 506(i) IPC in Crime .No.16 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/A1 in the case is alleged to have induced the defacto complainant by promising to marry her and had sexual relationship with her and used her in TV serial and thereafter refused to marry her. When the same was questioned by the defacto complainant, the petitioner/A1 along with the other accused snatched her two sovereign gold chain, two wheeler and threatened her. Hence, the compliant.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the case. He further submits that the defacto complainant already had sexual relationship with few others and different persons filed complaints against her in RC Nos.676 of 2020, 205 of 2020 and 88 of 2020 before the All Women Police Station, West Tambaram. He further submits that already the co-accused was enlarged on anticipatory bail. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate submitted that the two wheeler was recovered and further submitted that no one sustained injuries and that there is no previous case as against the petitioner. He further submits that already co-accused was enlarged on bail. However,, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that the property is recovered and already co-accused was enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No. 1, Tambaram 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/-

28/07/2021

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.I,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
W-35, ALL WOMEN POLICE STATION,
TAMBARAM, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S. A.MADHUMATHI Advocate on payment of necessary charges SR NO.7808

CRL OP.13006/2021

Date :28/07/2021

CSK 04/08/2021