



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Eleventh day of August Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.14005 of 2021

SIVAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY,
INSPECTOR OF POLICE,
VRIDDHACHALAM POLICE STATION,
VRIDDHACHALAM,
CUDDALORE-DISTRICT.
CRIME NO.670 OF 2021.

[RESPONDENT]

For Petitioner : M/S.T.MEGANATHAN Advocate

For Respondent : MR.C.E.PRATAP Govt. Advocate (Crl. Side)

For Intervenor : M/S.ILAYARAJA KANDASAMY Advocate

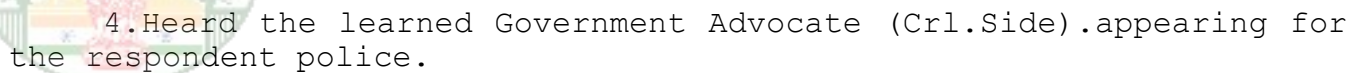
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 341, 506(ii) IPC r/w Section 67 of Information Technology Act 2000, in Crime No.670 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the practising Advocate and he appeared on behalf of the petitioner's father and the same was objected by the petitioner. Further, the petitioner had abused the defacto complainant in filthy language and tried to attack him. Hence, the complaint.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that there was a property dispute between the petitioner and the other family members and the defacto complainant had appeared on behalf of the petitioner's father and he developed illegal intimacy with the petitioner's sister and the same was objected by the petitioner, there was a wordy quarrel, the petitioner tried to attack him. Hence, he prays for grant of anticipatory bail to the petitioner.



6. Considering the facts and circumstances of the case and also the fact that there is no previous case, this Court is inclined to grant anticipatory bail to the petitioner.

(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;

(c) the petitioner shall not tamper with evidence or witness 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]; and;



(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-
11/08/2021

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,
VIRUDHACHALAM, CUDDALORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VRIDDHACHALAM POLICE STATION,
VRIDDHACHALAM,
CUDDALORE-DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.T.MEGANATHAN Advocate on payment of necessary
charges SR NO.8518

CRL OP.14005/2021

Date :11/08/2021

MK:25/08/2021