



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16203 of 2021

1 ISAIVANAN

[PETITIONER / ACCUSED]

2 JAYANTHI

Vs

THE STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
SUNGUARCHATHIRAM POLICE STATION,
KANCHEEPURAM DISTRICT.

(*)CR.NO.623 OF 2021.

For Petitioner : M/S.G.THAMIZHAZHAGAN Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest for the alleged offence under Sections 294(b), 323, 506(i) of IPC and Section 4 Women Harassment Act in **(*)Cr.No.623 of 2021** on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was family dispute between the petitioners and the defacto complainant. Therefore, petitioner/A-1 spread rumour about the defacto complainant. Hence, the defacto complainant made a complaint against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) submits that due to family dispute between the petitioners and the defacto complainant, the petitioner/A-1 spread rumours about the defacto complainant. Hence, he vehemently oppose for granting anticipatory bail to the petitioners.



5. Considering the facts and circumstances of the case and no serious allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are 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 receipt of a copy of this order, before the learned Judicial Magistrate Court, Sriperumpudur, on condition that the petitioners shall execute separate 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 petitioners 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/A-1 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. The petitioner/A-2 shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners 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.

-sd/-

07/09/2021

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.

[*] Amended and All other conditions made in the order dated 07/09/2021 passed in Crl.O.P.No.16203 of 2021. as per order of this Court dated 07/09/2021 made in CRL.MP.NO.10331 OF 2020. in CRL O P NO 16203 OF 2021.



1 THE JUDICIAL MAGISTRATE,
SRIPERUMPUDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SUNGUVARCHATHIRAM POLICE STATION,
KANCHEEPURAM DISTRICT.

CC to M/S.G.THAMIZHAZHAGAN Advocate on payment of necessary
charges

CRL OP.16203/2021

Date :07/09/2021

TA-14/09/2021

TA-29/10/2021