



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.16314 of 2021

HARI VIGNESH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM,
SALEM DISTRICT.
(CRIME NO.32/2021)

[RESPONDENT]

For Petitioner : M/S.KV LAW FIRM Advocate

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

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Sections 294(b), 417 and 506(1) of IPC in Cr.No.32 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 were in love. The petitioner went to the defacto complainant's house and given false assurance to marry her and misbehaved with her several times. Thereafter, when the defacto complainant demanded the petitioner to marry her, the petitioner refused to marry her on the grounds of caste and status and scolded her with filthy words and also threatened her with dire consequences. Hence, the defacto complainant lodged a complaint against the petitioner. Hence, the Law Enforcing Agency registered a case against the petitioner.



3.The learned counsel appearing for the petitioner submit that the petitioner has not been committed any offence as alleged by the prosecution and only with an intent to tarnish the image of the petitioner and his family, this false case was foisted against him. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl side) submits that the offence is grave in nature and there was no physical contact between the petitioner and the defacto complainant. Hence he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the defacto complainant and petitioner were not in physical relation, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, (Magisterial Level), Salem 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 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.

-sd/-
07/09/2021

WEB COPY

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 ADDITIONAL MAHILA COURT
(MAGISTERIAL LEVEL), SALEM.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM, SALEM DISTRICT.

+1 CC to M/S.KV LAW FIRM Advocate on payment of necessary charges
SR.NO.9632

CRL OP.16314/2021

Date :07/09/2021

RW 21/09/2021