



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16494 of 2021

VADIVEL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ORATHY POLICE STATION,
KANCHEEPURAM DISTRICT.
(CRIME NO. 134/2018)

[RESPONDENT]

For Petitioner : M/S. G.MOHAMMED ASEEF 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 petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 147, 427, 448, 294(b), 323, 324, 325, 386, 506(2) of IPC, r/w. Section 4 of TN Prohibition of Harassment of Women Act, 2002 and r/w . Section 12 of Protection of Child from Sexual Offences Act, 2012, in Crime No.134 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the president of village implicated the offence along with A1. On the ground that in order to protect A1, who is working as a school teacher had physically abused the student of the same school. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner did not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He also submitted that the petitioner protected the main accused person had enlarged on bail in Crl.OP.No. 30722 of 2018 dated 09.02.2019.

4.The learned Government Advocate (Crl.Side) submits that apart from this 307 is pending. Hence, he opposed for grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and also considering that the co-accused person had enlarged on bail, I am 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 *Judicial Magistrate I, Mathuranthagam* 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/-
15/09/2021

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.



1 THE JUDICIAL MAGISTRATE-I,
MATHURANTHAGAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ORATHY POLICE STATION,
KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. G.MOHAMMED ASEEF Advocate on payment of necessary
charges SR.NO.10131

CRL OP.16494/2021

Date :15/09/2021

CSK 04/10/2021