



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

Monday, the Twentieth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI  
CRIMINAL ORIGINAL PETITION No.17024 of 2021

1 M.SIVA  
2 BABY

[ PETITIONERS / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
UDUMALPET,  
TIRUPPUR DISTRICT.  
CRIME NO.12 OF 2021

[ RESPONDENT ]

For Petitioner : M/S. C.S.SARAVANAN 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 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 417 and 506(ii) of IPC in Crime No. 12 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner fell in love with the defacto complainant and thereafter at the instigation of the second petitioner who is the mother of the first petitioner the first petitioner, failed to marry her. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that earlier this Court granted anticipatory bail to the petitioners in Crl.O.P.No.16842 of 2021 dated 17.09.2021. Hence, he opposed for grant of anticipatory bail to the petitioners.



5. Considering the facts and circumstances of the case and the co-accused have been granted bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners is 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.I, Udumalpet on condition that the petitioners 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 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 petitioners shall report before the respondent 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/-  
20/09/2021

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.



TO

1 THE JUDICIAL MAGISTRATE NO.I,  
UDUMALPET.

2 THE CHIEF JUDICIAL MAGISTRATE,  
TIRUPPUR DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
UDUMALPET,  
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR,  
HIGH COURT, MADRAS.

+1 CC to M/S. C.S.SARAVANAN Advocate on payment of necessary  
charges SR.NO.10306

CRL OP.17024/2021

Date :20/09/2021

INBA 28/09/2021