



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18224 of 2021

ARUNAGIRI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ANAMALAI POLICE STATION,
COIMBATORE,
CR NO.470/2021

[RESPONDENT]

For Petitioner : M/S.I.ABRAR MOHAMED ABDULLAH Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 143, 294(b), 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 in Crime No.470 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a family and matrimonial dispute between the defacto complainant and the first accused regarding matrimonial matter, due to which, A1/brother of the defacto complainant along with other accused persons waylaid the defacto complaint's husband and her mother-in-law and father-in-law abused them, assaulted them with hands and also threatened them with dire consequences. Based on the complaint made by the defacto complainant, the law enforcing agency registered the case against the petitioner.

3.The learned counsel appearing for the petitioner submits 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 the petitioner is a stranger to the entire



allegation.
petitioner.

Therefore, he prays for grant of anticipatory bail to the

4. The learned Government Advocate (Crl.Side) submits that the injured has been taken treatment as out patient treatment.

5.Considering the submissions made by both counsel and also the fact that the injured has been taken treatment as out patient , 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Pollachi 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 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.

WEB COPY

-sd/-
30/09/2021

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, POLLACHI

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANAMALAI POLICE STATION, COIMBATORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.I.ABRAR MOHAMED ABDULLAH Advocate on payment of necessary charges SR.No.10838

CRL OP.18224/2021

Date :30/09/2021

APN 12/10/2021