



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of November Two Thousand Twenty One

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.18709 of 2021

ARAVINDH

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE SUB-INSPECTOR OF POLICE,
PORTO NOVO POLICE STATION,
CUDDALORE DISTRICT.
CRIME NO.196 OF 2021.

[RESPONDENT]

For Petitioner : M/S. G.PUGAZHENTHI Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 341, 294 (b), 324, 506(i) IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002, and Section 11 and 12 of POCSO Act, in Crime No.196 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 21.08.2021 when the daughter of the defacto complainant was going to shop in a two wheeler, the petitioner accosted her and committed eve teasing. The same was informed to the defacto complainant and his wife. Thereafter, they informed the same to the mother and relatives of the petitioner. Enraged by the same, the petitioner assaulted the defacto complainant and his wife and also threatened them with dire consequences. Hence, the complaint.



3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case for the reasons that the petitioner had lodged a complaint against the defacto complainant and his family which was registered in Crime No.197 of 2021 for the attack made on the petitioner by the defacto complainant and his relatives. Subsequently, the petitioner was admitted in the hospital for about three weeks and he had also enclosed the discharge summary of the petitioner. He would further submit that in the counter case, the defacto complainant and other accused have been granted anticipatory bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor raised formal objection and would admit that there is a case in counter.

5.Considering the facts and circumstances of the case and the fact that there is a case in counter, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 District Munsif cum Judicial Magistrate, Parangipettai, Cuddalore District, 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:

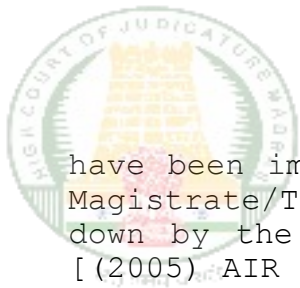
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear 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;

WEB COPY

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

08/11/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PARANGIPETTAI,
CUDDALORE DISTRICT.

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

3 THE SUB-INSPECTOR OF POLICE,
PORTO NOVO POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.PUGAZHENTHI Advocate on payment of necessary charges SR.NO.12509

CRL OP.18709/2021

Date :08/11/2021

RW 16/11/2021