



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

Thursday, the Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18755 of 2021

ARUN @ ARUNMOZHI

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
MOOLANUR POLICE STATION,
TIRUPPUR DISTRICT.
(CRIME NO.627/2021).

[RESPONDENT / COMPLAINANT]

For Petitioner : M/S.KALIMUTHU Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (CrI. Side)

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

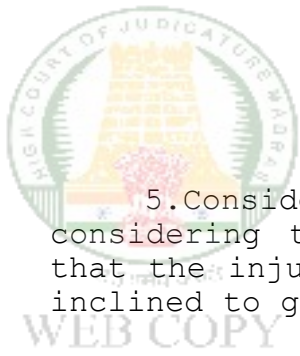
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 294B, 323, 506(ii) of IPC r/w Section 4 of TN Prohibition of Harassment of Women Act 2002 in Crime No.627 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute between the petitioner and the defacto complainant regarding for fencing, due to which, the petitioner along with other accused abused the defacto complainant and his mother in filthy language and assaulted them with knife, threatened them with dire consequences and also caused injuries to them. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed with any such offence as alleged by the prosecution and he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) submits that the injured has been discharged from the hospital. He further submits that there is no previous case pending against the petitioner.



5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and also the fact that the injured has been discharged from the hospital, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Dharapuram, Tiruppur 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 report before the respondent police 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.

-sd/-
07/10/2021

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,
DHARAPURAM, TIRUPPUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
MOOLANUR POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.KALIMUTHU Advocate on payment of necessary charges

CRL OP.18755/2021

Date :07/10/2021

INBA-20/10/2021