



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.18925 of 2021

M.VANARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE SUB-INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM,
SALEM DISTRICT.
CRIME NO.30/2021.

[RESPONDENT]

For Petitioner : M/S N.KUMANAN Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. 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 under Sections 496, 417 & 506(i) of IPC in Cr.No.30 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the uncle of accused/A-1 and the accused/A-1 had love affair with the defacto complainant and promised her to marry. Thereafter, accused/A-1 was betrothed with another women under the instigation of the petitioner and the accused/A-1 refused to marry the defacto complainant. Hence, the defacto complainant lodged a complaint against the petitioner. Based on which, the law enforcing agency registered a 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. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.side) submits that the accused/A-1 was in love with the defacto complainant and had physical relationship and refused to marry the defacto complainant and thereafter, accused/A-1 was betrothed with another women under the instigation of the petitioner and the petitioner threatened the defacto complainant with dire consequences. Hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and there no serious allegation against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 Additional Mahila Court, Salem, 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 anticipatory 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 ADDITIONAL MAHILA COURT
SALEM

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM, SALEM DISTRICT

+1 CC to M/S N.KUMANAN Advocate on payment of necessary charges
SR.No.11360

CRL OP.18925/2021

Date :07/10/2021

APN 26/10/2021