



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Twelfth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19396 of 2021

1 R.SARAVANAN  
2 D.DAYALAN

[ PETITIONERS / ACCUSED ]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
SEVVAPET POLICE STATION,  
THIRUVALLUR DISTRICT.  
(CR NO.440/2021)

[ RESPONDENT ]

For Petitioner : M/S.M.ASWIN Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Govt. Advocate ( Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 353, 506(i) I.P.C. and Section 4 of the Tamilnadu Prohibition of Woman Harassment Act in Cr.No.440 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 04.10.2021 the petitioners herein threatened the defacto complainant, who is a Village Administrative Officer for non issuance of Death Certificate. Hence the complaint.

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

4.The learned Additional Public Prosecutor submits that the defacto complainant is a Village Administrative Officer. The petitioners are alleged to have sought for a Death certificate and the VAO refused to issue the same. Hence, the petitioners threatened



the defacto complainant with dire consequences which leads to the registration of a case. Therefore, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the submission of the learned Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioners on condition.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate II, Thiruvallur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 police daily at 10.30 a.m. until further orders;

(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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

12/10/2021

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.



1 THE JUDICIAL MAGISTRATE-II,  
THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
SEVVAPET POLICE STATION,  
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.19396/2021

Date :12/10/2021

CSK 18/10/2021