



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.19412 of 2021

1 NATARAJAN [PETITIONERS / ACCUSED]
2 PANDIAN
3 MOORTHY
4 ARUL @ ARULRAJ

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
THANIPADI POLICE STATION,
THIRUVANNAMALAI
(CRIME NO.677 OF 2021)

For Petitioners : M/S A.S.ASWIN PRASANNA Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Govt. Advocate (Crl. 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 147, 148, 294(b), 323, 324, 427, 354 A(i)(ii), 354B, 506(ii), 376, 511 of I.P.C., and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Cr.No.677 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the family members of the defacto complainant are alleged to have been assaulted by the petitioners herein. Hence, the defacto complainant lodged a complaint under the Women Harassment Act before respondent police, against the accused.

3.The learned counsel appearing for the petitioners submits that they have already filed a Civil Suit in O.S.No.433 of 2019 against the defacto complainant, which is now pending before the learned Subordinate Judge, Tiruvannamalai and the present complaint lodged



against the petitioners is the counter blast of the civil dispute. He further 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 case arouse out a civil dispute between the petitioners and the defacto complainant. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the submission of the learned counsel for the petitioners and the learned Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioners on the following conditions:

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 cum District Munsif, Thandarambattu, Thiruvannamalai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, of whom, one should be a blood related surety, 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 as and when required for investigation;

(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 petitioners 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

WEB COPY

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 CUM DISTRICT MUNSIF,
THANDARAMBATTU, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
THANIPADI POLICE STATION,
THIRUVANNAMALAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.19412/2021

Date :12/10/2021

JPA 18/10/2021