



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.19420 of 2021

1 R.JAYARAJ
2 SENTHAMILSELVI
3 MUTHAMMAL

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
MEENSURUTTY,
ARIYALUR DISTRICT.
(CRIME NO.480 OF 2021)

[RESPONDENT]

For Petitioner : M/S.N.KAVIKANNAN Advocate

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

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

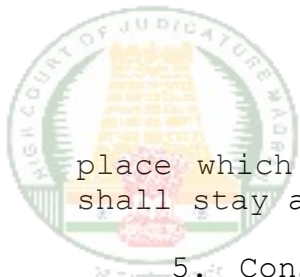
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 294 (b) IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Cr.No.480 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 and the petitioners are arrayed as A1 to A3. Hence, the complaint.

3.The learned counsel appearing for the petitioners submit 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 arose out of illegal relationship between the 1st petitioner, A1 and the defacto complainant. The family members of the defacto complainant are alleged to have assaulted the petitioners herein. He further submits that the petitioner shall stay away from the present



place which is adjacent to the place of the defacto complainant and shall stay at Madurai until further orders.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners on condition that the petitioners shall stay at Madurai, until further orders.

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, Jayankondam, Ariyalur 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 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 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;

(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,
JAYANKONDAM, ARIYALUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MEENSURUTTY,
ARIYALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.N.KAVIKANNAN Advocate on payment of necessary
charges SR.NO.11431

CRL OP.19420/2021

Date :12/10/2021

CSK 18/10/2021