



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Ninth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20461 of 2021

1 M.SARAVANA KUMAR

[PETITIONERS / ACCUSED]

2 P.RAJASEKAR

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
J3 GUINDY POLICE STATION,
GUINDY.

Crime No.859 of 2021

For Petitioner : M/S.R.S.RANGABASHYAM 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences u/s. 341, 294(b), 323 and Sec.4 of Women Harassment Act, in Crime No.859 of 2021 on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that while the petitioner and the defacto complainant are driving vehicle, there was a quarrel arose between them. Due to which, the petitioner harassed the defacto complainant and thereby assaulted her. Based on the complaint lodged by the defacto complainant, the respondent police registered a case.

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

4.The learned Government Advocate (Crl.Side) submits that the injured person discharged from the hospital and case in counter. However, he opposed grant of anticipatory bail to the petitioners.



5. Considering the facts and circumstances of the case and also considering that the injured discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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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 IX Metropolitan Magistrate Court, Saidapet, Chennai on condition that the petitioners 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 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 appear 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 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

29/10/2021

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 IX METROPOLITAN MAGISTRATE
SAIDAPET, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI

3 THE INSPECTOR OF POLICE,
J3 GUINDY POLICE STATION,
GUINDY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.20461/2021

Date :29/10/2021

APN 18/11/2021