



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Tenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21131 of 2021

SIRAIMEETAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THALAINAYIUR POLICE STATION,
VEDARANYAM TALUK,
NAGAPATTINAM DISTRICT.
(CR.NO. 562 OF 2021)

[RESPONDENT]

For Petitioner : M/S. K.M.SUBRAHMANIAM 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 petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences Under Sections 294(b) & 506(i) of IPC r/w Sec.4 of Tamilnadu Prohibition of Harassment of Women Act, 1998, in Crime No.562 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband is working in foreign country. It is alleged that due to previous enmity the petitioner abused the defacto complainant in filthy language and thereby harassed and threatened her with dire consequences. Hence the defacto complainant lodged a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioners submits that the petitioner is no way connected with the occurrence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that the petitioner had scolded the defacto complainant using filthy languages in the absence of her husband. Hence, he opposed grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioner is 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 *Judicial Magistrate Court, Vedaranyam* 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 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 appear before the Vedaranyam Police Station weekly once 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 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/-
10/11/2021

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,
VEDARANYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THALAINAYIUR POLICE STATION,
VEDARANYAM TALUK,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.21131/2021

Date :10/11/2021

CSK 18/11/2021