



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Sixteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.21177 of 2021

KUPPUSAMY

[PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY
INSPECTOR OF POLICE,
MARAKKANAM POLICE STATION,
VILLUPURAM DISTRICT.
CR.NO.359/2021.

[RESPONDENT]

For Petitioner : M/S.S.N.ARUNKUMAR Advocate

For Respondent : MR. N.S.SUGANTHAN, Govt. Advocate (Cr1. Side)

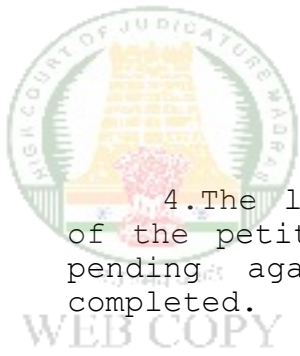
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 323 and 506(i) of IPC, in Crime No.359 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that,the defacto complainant is the wife of the petitioner. The defacto complainant went to the petitioner's house and asked him to evict his house. Due to that,there was a wordy quarrel arose between the complainant and her sister in filthy language and also intimidated with dire consequence. Thereby,the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the defacto complainant and her sister visited the petitioner's house, abused him and attacked. The petitioner was falsely implicated in this case. The petitioner is an innocent person and no way connected to the alleged prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. side) submits that, the age of the petitioner is about 63 years and there is no previous case pending against this petitioner. The investigation is almost completed.

5. Considering the above fact that the investigation is almost completed. The petitioner is ready to abide any conditions imposed by this Court. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-II, Tindivanam, on condition that the petitioner 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 report before the respondent police as and whenever required 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/-

16/11/2021

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, TINDIVANAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)

3 INSPECTOR OF POLICE,
MARAKKANAM POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.N.ARUNKUMAR Advocate on payment of necessary
charges Sr.12871

CRL OP.21177/2021

Date :16/11/2021

RVR 18/11/2021