



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21281 of 2021

PREMKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CUDDALORE DISTRICT
TAMILNADU.
CRIME NO.10 OF 2021.

For Petitioner : M/S E.ANBARASAN Advocate

For Respondent : M/S.N.S.SUGANTHAN, Govt. Advocate (Crl. 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 417, 376, 313, 324 of IPC and Section 4 of TNPHW Act 2002 in Cr.No.10 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a family dispute between A1/defacto complainant's husband and the defacto complainant, due to which, the petitioner along with others abused and assaulted the defacto complainant.. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the co-accused were enlarged on anticipatory bail by this Court in Crl.OP.Nos.18558 and 20880 of 2021 dated 05.10.2021. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the investigation has been almost completed. However, he vehemently opposed for grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and also considering the fact that the co-accused were enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 **Additional Mahila Court, Cuddalore, Tamilnadu** 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 on every Friday at 5.00 p.m., for a period of four weeks and thereafter as and when 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 anticipatory 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/-
12/11/2021

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 ADDITIONAL MAHILA COURT,
CUDDALORE, TAMILNADU.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CUDDALORE DISTRICT
TAMILNADU.

+1 CC to M/S E.ANBARASAN Advocate on payment of necessary
charges SR.NO.12865

CRL OP.21281/2021

Date :12/11/2021

TA-22/11/2021