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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.21624 of 2021

Vicky @ Vignesh

... Petitioner

Vs.

State Rep. by  
The Inspector of Police,  
B - 4, Sevvapet Police Station,  
Thiruvallur District.  
Cr.No.466 of 2021.

... Respondent

**Prayer:** Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No.466 of 2021 on the file of the respondent.

For Petitioner : Mr.S.Sakthivel

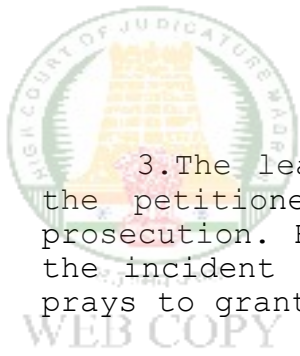
For Respondent : Mr.N.S.Suganthan

Government Advocate (Crl. Side)

ORDER

The petitioner who apprehends arrest for the alleged offence under Sections 294(b), 323, 324, and 506 (ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Cr.No.466 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the families of petitioner and defacto complainant, due to which, petitioner's family members abused defacto complainant with filthy languages and assaulted the defacto complainant's family members and threatened them with dire consequences and caused injuries to them. Thereby, the defacto complainant lodged a complaint against the petitioner.



3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He further submits that defacto complainant exaggerated the incident and lodged the false complainant against him. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submits that the injured person has been discharged from the hospital and investigation is almost completed.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital and the investigation is almost completed, this court 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 XV Metropolitan Magistrate, George town, Chennai, 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 10.30 a.m. for a period of two 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.

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-sd/-  
18/11/2021

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 METROPOLITAN MAGISTRATE,  
NO.XV, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,  
EGMORE, CHENNAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE  
B4 SEVVAPET POLICE STATION,  
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.S.SAKTHIVEL Advocate on payment of necessary charges  
SR.NO.12992

CRL OP.21624/2021

Date :18/11/2021

JPA 26/11/2021