



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

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CORAM:

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

Cr1.O.P.No.22157 of 2021

Anthony Soosai

... Petitioner

Vs.

State Represented by
Inspector of Police,
V1-Villivakkam Police Station,
Villivakkam, Chennai.
(Crime No.782 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioner/accused on bail in the event of his arrest in Crime No.782 of 2021 on the file of the Inspector of Police, V1-Villivakkam Police Station, Villivakkam, Chennai.

For petitioner : Mr.K.Balaji

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 366 of IPC, in Crime No.782 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that there was family dispute exists between the defacto complainant and his wife Sandhya, hence, she went along with her daughter to her relative house at Bangalore. The defacto complainant was hospitalized for a week and on his return he found that his wife and daughter were missing, for which the defacto complainant lodged a complaint before the respondent police, resulting which, the present complaint has been filed.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offences as alleged by the prosecution. Hence, he seeks for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate would submit that the investigation is almost completed and the defacto complainant's wife and his daughter were secured.

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5. Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

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 XIII Metropolitan Magistrate, Egmore, 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 said Magistrate, 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 every week Wednesday and Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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;

-sd/-

24/11/2021

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 XIII METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
V1-VILLIVAKKAM POLICE STATION,
VILLIWAKKAM, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S K.BALAJI Advocate on payment of necessary charges
SR.NO.13414

CRL OP.22157/2021

Date :24/11/2021

CSK 26/11/2021