



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

WEB COPY

CORAM:

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

CrI.O.P.No.21947 of 2021

Ramamoorthy

.. Petitioner

Vs.

State by
The Inspector of Police
Krishnagiri Taluk Police Station,
Krishnagiri District.
Crime No.498 of 2021

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the the petitioner on bail in the event of his arrest in Crime No.498 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Jayachandran

For Respondent : Mr.N.S.Suganthan
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 324 of IPC and under Section 4 of TN Prohibition of Harassment of Women Act 2002 in Crime No.498 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are adjacent land owners. On 30.10.2021 at about 6.00 a.m, there was a wordy quarrel between the petitioner and the defacto complainant regarding the defacto complainant's bullock entered into the petitioner's land, due to which, the petitioner abused the defacto complainant in filthy language and assaulted her, threatened her with dire consequences and caused injuries to her. Hence, the complainant.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the



4.The learned Government Advocate (Crl side) submits that the injured has been discharged from the hospital. He further submits that the investigation was almost completed.

5. Considering the submissions made by both counsel and also considering the fact that the injured has been discharged from the hospital and the investigation was almost completed, 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 No.II, Krishnagiri* 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 being a senior citizen shall report before the respondent police 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 has been imposed and the petitioner is 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/-

22/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KRISHNAGIRI TALUK POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.JAYACHANDRAN Advocate on payment of necessary
charges SR.NO.13369

CRL OP.21947/2021

Date :22/11/2021

CSK 30/11/2021