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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.12.2021

CORAM :

THE HON'BLE MR. JUSTICE B. PUGALENDHI

Crl.O.P.No.25946 of 2021

Sabarinathan

... Petitioner

Vs.

State Rep. By  
The Sub Inspector of Police,  
Cuddalore NT Police Station,  
Cuddalore District.  
(Crime No.843 of 2021)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 438 of Criminal Procedure Code, 1973, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.843 of 2021 pending investigation on the file of the respondent police.

For Petitioner : M/s.A.Sathishkumar.

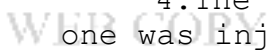
For Respondent : Mrs.G.V.Kasthuri  
Additional Public Prosecutor

### ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 352 of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.843 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner traveled along with A1 and A2 near Manjakuppam, at that time A1 and A2 stopped the car and scold the de-facto complainant with filthy language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner traveled with other accused in a two wheeler, at that time a car came in a rash and negligent manner without considering other vehicles on the road. The petitioner's friend overtook the car and advised the de-facto complainant. There was a wordy quarrel between them, due to which, the respondent Police falsely implicated the petitioner's name. The learned counsel further submit that the



4. The learned Additional Public Prosecutor would submit that no one was injured in this case.

6. Accordingly, the Criminal Original Petition is allowed. 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 Judge, Additional Mahila Court, Cuddalore, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[b]the petitioner shall report before respondent police daily at 10.30 a.m. until further orders.

[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 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]**.



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-  
29/12/2021

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.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE SUB INSPECTOR OF POLICE,  
CUDDALORE NT POLICE STATION,  
CUDDALORE DISTRICT.

+1 CC to M/S A.SATHISHKUMAR Advocate on payment of necessary charges SR.NO.15660

CRL OP.25946/2021

Date :29/12/2021

TA-03/01/2022