



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

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

CrI.O.P.No.601 of 2022

1.A.Nadarajan
2.N.Latha

... Petitioners

Vs.

State represented by the
Inspector of Police,
Kudavasal Police Station,
Thiruvarur District.
(Crime No.1631 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in the event of
apprehending arrest in the Crime No.1631 of 2020 on the file of the
respondent police.

For Petitioners : Mr.P.Muthamizhselvakumar

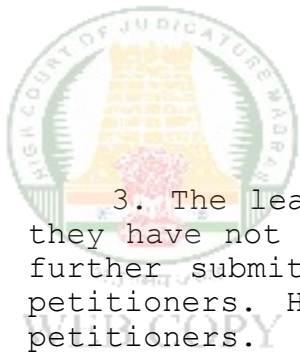
For Respondent : Mr.N.S.Suganthan
Government Advocate (CrI.Side)

ORDER

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
294(b), 452, 323, 506(ii) of IPC, 1882 r/w Section 4 of Tamil Nadu
Prohibition of Women Harassment Act in Crime No.1631 of 2020, 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 petitioners and the defacto complainant's mother regarding
the illegal relationship between the mother of the defacto complainant
and one Rajinikanth (A1), who is the relative of the petitioners, due
to which, they abused the defacto complainant and her mother one
Chitra and caused simple injuries to the defacto complainant. Hence,
the complaint.



3. The learned counsel appearing for the petitioners submits that they have not committed any offence as alleged by the prosecution. He further submits that there is no previous case pending against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that investigation almost completed and there is no previous case pending against the petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with a direction to the petitioners not to cause any disturbance to the defacto complainant and her family members along with the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate Court, Thiruvarur on condition that the petitioners 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:

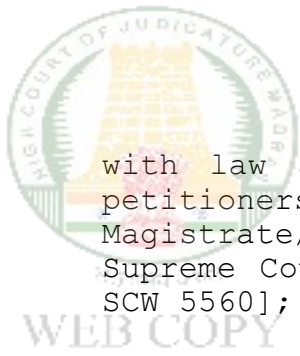
[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the 1st petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation and the 2nd petitioner shall report before the respondent police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance



with law as if the conditions has been imposed and the petitioners 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/-
12/01/2022

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 JUDICIAL MAGISTRATE,
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
KUDAVASAL POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.MUTHAMIZHSELVAKUMAR Advocate on payment of necessary charges

CRL OP.601/2022

Date :12/01/2022

JPA 21/01/2022