



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2022

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.1338 of 2022

T.Syed Fayaz

... Petitioner

Versus

State by
The Inspector of Police,
R-8 Vadapalani Police Station,
Chennai.
(Crime No.7 of 2022)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest in Crime No.7 of 2022 on the file of the R-8 Vadapalani Police Station.

For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323 r/w 4 of Tamil Nadu Prohibition of Women Act, 2002 in Crime No.7 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is studying 3rd year in B.Tech in the SRM College. The petitioner is studying in the same college in B.Tech (Electronic - CE Course). On 03.01.2022 at lunch break the defacto complainant went to nearby park and discussed with her friends, at that time the petitioner came to the place and abused words and teased the defacto complainant. After a quarrel between them the petitioner slapped and pushed down the defacto complainant. Thereafter she consumed "ALL OUT MOSQUITO LIQUID" and went to her house and tolled the said facts to her mother,



thereafter she admitted in a Private Hospital, Chennai. The defacto complainant having one side love with the petitioner. She approached petitioner to love her. The petitioner refused to love her. For the reason she consumed the said Mosquito Liquid. Hence the case.

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

4. The learned Additional Public Prosecutor appearing for the respondent submitted that there is some wordy quarrel. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his 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 Metropolitan Magistrate Court No.XVII, Saidapet, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Society for the Educational and Economic Development (SEED) Reg., Sriperumbudur, Account Name: SEED, Account No:2926101000002, Canara Bank, Sriperumbudur, IFSC CNRB0002926, Cell No.9944812053 within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner is directed to report before the respondent police on every Tuesday at 10.30 a.m., until further orders;



[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 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].

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

-sd/-
24/01/2022

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 METROPOLITAN MAGISTRATE,
NO.XVII, SAIDAPET, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
R-8, VADAPALANI POLICE STATION,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



5 THE SOCIETY FOR THE EDUCATIONAL
AND ECONOMIC DEVELOPMENT (SEED)
REG., SRIPERUMBUDUR, ACCOUNT NAME: SEED,
ACCOUNT NO:2926101000002, CANARA BANK,
SRIPERUMBUDUR, IFSC CNRB0002926,
CELL NO.9944812053

+1 CC to M/S.P.PUGALENTHI Advocate on payment of necessary
charges SR.NO.1237

CRL OP.1338/2022

Date :24/01/2022

JPA 31/01/2022