



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

CORAM:

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

Crl.O.P.No.3200 of 2022

Prabhu

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Thiruverkadu Police Station,
Chennai.
(Crime No.50 of 2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
by the respondent police concerned in crime No.50 of 2022, on the file
of the respondent Police.

For Petitioner : Mr.S.Shankar

For Respondent : Mr.L.Baskaran

Government Advocate (Crl. Side)

For Intervenor : Mr.R.Rajesh Krishnan

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 384 & 506(i) of IPC in Crime No.50 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner went to the defacto complainant's house on 20.01.2022 along with his driver Bakiyaraj who is arrayed as A2 and threatened the defacto complainant's wife Sharmila and also stated in the complaint that he will release her photo and video in the internet. Hence, the complaint.



3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the defacto complainant and his wife are family friends, on the date of the alleged occurrence, there was a wordy quarrel happened due to the sudden provocation. Hence, prays for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervenor submits that after filing of FIR there was a compromise to that effect and intimated the same to the respondent police for that a copy of that letter also produced and also the same was enquired by the public prosecutor.

5. The learned Government Advocate (Crl.side) appearing for the respondent opposed for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and also the fact that there was compromise between the parties and both were known to each other even prior of filing this complaint, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate No.II, Poonamalle, and on further conditions 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 on every Saturday at 10.30 a.m., for a period of two months and thereafter as and when required for an 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/-
18/02/2022

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,
NO.II, POONAMALLE

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
T-5, THIRUVERKADU POLICE STATION,
CHENNAI - 600 077.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SHANKAR Advocate on payment of necessary charges
SR.NO.2592

CRL OP.3200/2022

Date :18/02/2022

JPA 25/02/2022