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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5241 of 2022

R.MOHANARANGAN [PETITIONER / ACCUSED]

Vs

THE STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
VANDAVASI SOUTH POLICE STATION,
VANDAVASI, TIRUVANNAMALAI DISTRICT
(CRIME NO.39/2022)

For Petitioner : M/S A.E.KALAISELVAN Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 448, 294(b) and 506(1) of IPC in Crime No.39 of 2022 is before this Court seeking anticipatory bail.

2.On perusal of the First Information Report, this Court finds that the defacto complainant, who is the neighbouring residence of the petitioner herein, had intimacy for a long time and since the relationship has broken, this complaint has been given.

3.The learned Government Advocate(crl.side) would submit that though the defacto complainant has claimed that she is the wife of the petitioner, the investigation undergone sofar does not reveal that they are legally married.

4.Taking note of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

5.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vandavasi,

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Thiruvannamalai District, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 shall report before the Investigation Officer 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 have been imposed and the petitioner 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/-
07/03/2022

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

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
VANDAVASI, THIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI(FOR INFORMATION)

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3 INSPECTOR OF POLICE,
VANDAVASI SOUTH POLICE STATION,
TIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S A.E.KALAISELVAN Advocate on payment of necessary charges SR.3609

CRL OP.5241/2022

Date :07/03/2022

RVR 10/03/2022

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