



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6367 of 2022

1 P.NANDAGOPAL [PETITIONERS / ACCUSED]
2 K.SETTU @ MANIRATHINAM

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KILIYANOOR POLICE STATION,
VILLUPURAM DISTRICT.
CR.NO.21 OF 2022.

For Petitioner : M/S.S.ANBURAJA Advocate

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

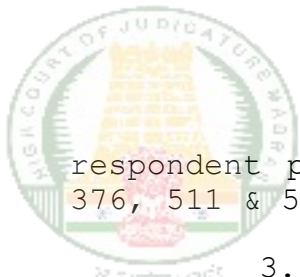
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl.side) appearing for the respondent.

2. It is a case and case in counter. The petitioners herein apprehend arrest in Crime No.21 of 2022 registered for offences punishable under Sections 294(b), 323, 376, 511 & 506(i) of IPC.

2. The learned counsel for the petitioner states that the husband of the defacto complainant had business quarrel with the 1st petitioner and assaulted the 1st petitioner on 19.01.2022, for which case in Crime No.20 of 2022 was registered by the respondent Police against the defacto complainant's husband, brother, father-in-law. To counter blast the same, the present complaint has been given after 5 days on 24.01.2022 alleging as if the petitioners had entered into the house of the defacto complainant on 19.01.2022 and attempted to misbehave with her. Though First Information Report does not indicates any allegation of penetrative sexual offence, the



respondent police has registered a case under Sections 294(b), 323, 376, 511 & 506(i) of IPC.

3. The learned Government Advocate (crl.side) has also furnished the accident register of the defacto complainant.

4. Going through the accident register and the First Information Report, this Court is of the view that custodial interrogation of the petitioners are not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate, Vanur, Villupuram District** on condition that each of the petitioners shall execute a separate 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) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) **the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;**

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
24/03/2022

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,
VANUR, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KILIYANOOR POLICE STATION,
VILLUPURAM DISTRICT.

+1 CC to M/S.S.ANBURAJA Advocate on payment of necessary charges SR.NO.4463

CRL OP.6367/2022

Date :24/03/2022

TA-06/04/2022