



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7015 of 2022

RAMARAJ

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ARNI POLICE STATION,
TIRUVALLUR DISTRICT.
(CRIME NO.50/2022)

[RESPONDENT]

For Petitioner : M/S.V.MURUGESAN 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 :-

The petitioner, who apprehend arrest for the alleged offence under Sections 294(b), 323 and 506(1) IPC and Section 4 TN Prohibition of Harassment Women Act 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 is one of the subscriber of the defacto complainant's chit company and the petitioner refused to repay the chit amount to the tune of Rs.2,60,000/- while the defacto complainant demanded him to repay the same and also abused her with filthy language and threatened her with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He prays for anticipatory bail.



4. The learned Government Advocate (Crl. Side) submits that while the defacto complainant demanded the chit amount from the petitioner he abused the defacto complainant in filthy language and threatened her with dire consequences. He further submits that there is no previous case as pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the nature of offence committed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on 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, No.I, Ponneri, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioner 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 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;

(c) the petitioner shall report before the Investigating Officer as and when required for an interrogation;

(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 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/-
28/03/2022

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,
NO.I, PONNERI, TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ARNI POLICE STATION,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.V.MURUGESAN Advocate on payment of necessary charges
SR.No.4691

CRL OP.7015/2022

Date :28/03/2022

CSK 31/03/2022