



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8622 of 2022

G.NAGENDRAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
MANDHARAKUPPAM POLICE STATION,
CUDDALORE DISTRICT-607802.
(CRIME NO.229/2022)

[RESPONDENT]

For Petitioner : M/S.R.KAANDDEEBAN 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 apprehends arrest for the alleged offence under Sections 354, 354(c) I.P.C Act and read with Section 4 of Tamil Nadu Women Harassment Act in Crime No.229 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehend arrest by the respondent police on the complaint given by one Shanthi alleging that the petitioner had taken video graph of her while she was taking bath.

3. The learned counsel for the petitioner would submit that the uncle of the de facto complainant due to previous enmity came to the house of the petitioner and attacked the inmates of the house and snatched away 4 cell phones, in this connection the petitioner has given complaint. The respondent police instead of registering the FIR, they have given CSR number and not proceeded further and for counter blast to the said complaint, the de facto complainant has given a false complaint with imaginary acquisition.



4. The learned Government Advocate (Crl. Side) state that the cell phone of the petitioner was recovered but no obscene video graph of the de facto complainant found in it.

5. In view of the above fact, 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 Judicial Magistrate, Neyveli 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 not tamper with evidence or witness either during investigation or trial;

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

(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 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/-

13/04/2022

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,
NEYVELI.

WEB COPY

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MANDHARAKUPPAM POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.KAANDEEBAN Advocate on payment of necessary
charges SR.No.5681

CRL OP.8622/2022

Date :13/04/2022

CSK 21/04/2022