



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.9557 of 2022

Mutharasan

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Kanai Police Station,
Villupuram District.
(Crime No.102 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.102 of 2022 on the file of the Respondent Police seeks bail.

For Petitioner : Mr.C.Munusamy

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

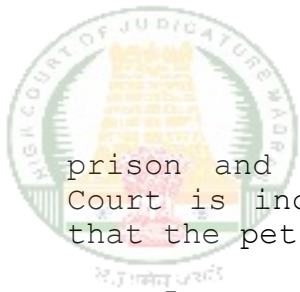
O R D E R

The petitioner, who was arrested and remanded to judicial custody on 09.03.2022 for the offences punishable under Sections 294 (b), 452, 354, 354(A) and 506(2) read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 in Crime No.102 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 09.03.2022 on a complaint given by one Mohanavalli alleging that the petitioner herein caused sexual harassment to her while she was travelling and it is further alleged that the petitioner had physically molested her in a public place. On 05.03.2022, when she complaint about the same to his parents, their family members came to the house of the defacto complainant and threatened her with dire consequences.

3. The learned counsel for the petitioner states that due to previous enmity, the defacto complainant has lodged a false complaint.

4. Considering the nature of the allegation against this petitioner and factum of parity that the petitioner being detained in



prison and also considering the stage of the investigation, this Court is inclined to grant bail to the petitioner with a condition that the petitioner shall stay at Dindivanam until further orders.

5. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) 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 learned Additional Mahila Court, Villupuram.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate 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 interrogation.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-

26/04/2022

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 ADDITIONAL MAHILA COURT,
VILLUPURAM

2 THE OFFICER INCHARGE,
DISTRICT JAIL, VILLUPURAM



3 THE INSPECTOR OF POLICE,
KANAI POLICE STATION,
VILLUPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.MUNUSAMY Advocate on payment of necessary charges

CRL OP.9557/2022

Date :26/04/2022

RVR 27/04/2022