



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9527 of 2022

N.SATHASIVAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPCTOR OF POLICE,
W-18 ALL WOMEN POLICE STATION,
M.K.B NAGAR,
CHENNAI - 600 118.
(CR.NO.08 OF 2022)

[RESPONDENT]

For Petitioner : M/S.R.THIRUMOORTHY Advocate

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

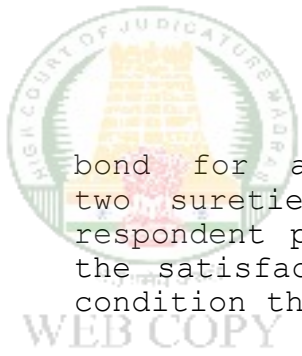
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) & 494 of IPC in Crime No.08 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein is a retired Sub-Inspector of Police fearing arrest by the respondent Police based on the complaint given by his wife is before this Court. Reading of the First Information Report indicates that there is a estranged between the de facto complainant and the petitioner, both are retired Government servants. For the property, there is a dispute and a complaint and counter complaint filed before the police and authorities since 2019.

3. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 Metropolitan Magistrate Additional Mahila Court, Egmore 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) 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 daily at 10.30 a.m., until further orders;

(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.

-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 METROPOLITAN MAGISTRATE,
ADDITIONAL MAHILA COURT, EGMORE.



2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPCTOR OF POLICE,
W-18 ALL WOMEN POLICE STATION,
M.K.B NAGAR, CHENNAI - 600 118.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.THIRUMOORTHY Advocate on payment of necessary
charges SR.No.6304

CRL OP.9527/2022

Date :26/04/2022

CSK 28/04/2022