



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

Wednesday, the Twenty Seventh day of April Two Thousand Twenty Two
PRESENT

WEB COPY

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.9566 of 2022

PRABHAKARAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
B-8 PULLARAMBAKKAM POLICE STATION,
PULLARAMBAKKAM,
THIRUVALLUR DISTRICT
CR.NO.47 OF 2022.

[RESPONDENT]

For Petitioner : M/S.S.RAJESH 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 herein apprehending arrest by the respondent police for an offences under Sections 294b, 148, 323, 506(i) of IPC 1860 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Crime No.47 of 2022 on the file of the respondent police seeks anticipatory bail.

2.Alleging dispute over the money, the petitioner and two others attacked the defacto complainant and threatened her with dire consequences.

3. The learned counsel for the petitioner had submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. Taking into note of the relationship between the defacto complainant and the petitioner and the fact that there is no external injuries caused, this Court is inclined to grant anticipatory bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate - II, Thiruvallur District, 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 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 respondent police 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 is 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/-

27/04/2022

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,
NO.II, THIRUVALLUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
B-8 PULLARAMBAKKAM POLICE STATION,
PULLARAMBAKKAM, THIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.RAJESH Advocate on payment of necessary charges
Sr.6416

CRL OP.9566/2022

Date :27/04/2022

RVR 05/05/2022