



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9817 of 2022

SELVARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION,
BHAVANI TALUK,
ERODE DISTRICT
(CRIME NO.100/2022)

[RESPONDENT]

For Petitioner : M/S M.SIDDHI, 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 apprehends arrest by the respondent police for the alleged offence punishable under Section 294(b) and 323 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.100 of 2022 on the file of the respondent police seeks anticipatory bail.

2. The complaint has been given by the neighbour of the defacto complainant alleging that he had shown indecent gesture and stabbed her and also made very indecent proposal to her. This has happened due to petty quarrel over the grazing of poultries in the backyard of the house.

3. Considering the alleged perverted behaviour of the petitioner while granting anticipatory bail, this Court feels that his presence in the place near the defacto complainant's home lead to the recurrence of an offence and hence the petitioner is directed to stay at Coimbatore and report before the Race Course Police Station.



4. Considering the facts and circumstances of the case and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner.

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5. Accordingly, the petitioner is ordered to be released on anticipatory 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 Court, Bhavani 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 stay at Coimbatore and report before the Investigating Officer, Race Course Police Station, Coimbatore, 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 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/-
28/04/2022

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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,
BHAVANI.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION,
BHAVANI TALUK, ERODE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INVESTIGATING OFFICER,
RACE COURSE POLICE STATION,
COIMBATORE.

+1 CC to M/S M.GURUPRASAD Advocate on payment of necessary
charges SR.NO.6644

CRL OP.9817/2022

Date :28/04/2022

JPA 05/05/2022