



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10632 of 2022

AND

CRL.MP.NO.6388 of 2022

MUTHUKUMARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
E-8, KELAMBAKKAM POLICE STATION,
CHENGALPATTU DISTRICT.
(CRIME NO. NOT KNOWN/2022)

For Petitioner : M/S. E.IYAPPAN Advocate

For Respondent : MR.S.SUGENDRAN,Additional Public Prosecutor

For Intervenor : MR.E.KOTTESWARAN,Advocate

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 offences under sections 294(b), 506(ii) of IPC r/w Section 4 of the Tamil Nadu Prevention of Harassment of Women Act in Crime No.Not known of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute between the husband and wife, there was a wordy quarrel and the petitioner snatched the Thali chain of the defacto complainant and ran away. Hence the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he had not committed any such offences as alleged by the prosecution. He further submitted that he had been falsely implicated in this case. Hence, he pleads for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that enquiry is pending in CSR.No.256 of 2022 and that it is a family dispute.

5. The Intervening Petition in CrI.M.P.No.6388 of 2022 has been filed by the defacto complainant/intervenor to permit him to intervene in the matter. This Court heard the submissions of the learned counsel for the intervenor. However, in view of the fact that this Court is inclined to grant anticipatory bail to the petitioner, taking into consideration the facts and circumstances of the case, the Intervening Petition in CrI.M.P.No.6388 of 2022 is rejected.

6. Considering the facts and circumstances of the case, custodial interrogation of the petitioner is not necessary and hence, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate-I, Chengalpattu, on condition that the petitioner shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), 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 shall affix his photograph and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

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

(c) the petitioner shall report before the respondent police 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/-

12/05/2022

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-I,
CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
E-8, KELAMBAKKAM POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. E.IYAPPAN Advocate on payment of necessary
charges SR.No.7049

+1CC to M/S. E.KOTTESWARAN Advocate on payment of necessary
charges SR.No.7019

CRL OP.10632/2022

AND

CRL.MP.6388/2022

Date :12/05/2022

CSK 16/05/2022