



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10677 of 2022

1 NAVANEETHAM
2 BHARATHIRAJA
3 BACKIYARAJ
4 RAGHUPATHI
5 SENTHILNATHAN
6 GNANAVEL
7 THAMARAISELVI
8 SELVAGANDHI
9 NEELAVATHI
10 SELVI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TINDIVANAM,
(CRIME NO.9 OF 2022)

[RESPONDENT]

For Petitioner : M/S.S.SATHISH RAJAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 417, 376, 294(b) and 506(i) of IPC, in Crime No.9 of 2022, on the file of the respondent police, seek anticipatory bail.



2. It is alleged that the 1st accused/Vijay, promising the de facto complainant to marry her, had sexual relationship with her. On 09.07.2022, when the de facto complainant demanded him to marry, the 1st accused is said to have scolded her in filthy language and told her that he will not marry her. When she informed the same to the parents of the 1st accused, they have also scolded her in filthy language and they would not allow the 1st accused/Vijay to marry the de facto complainant. Hence, the complaint in Crime No.9 of 2022 had been filed.

3. The First Information Report indicates that the 1st accused is the main accused in this case. The allegations against the other accused is that they have scolded the de facto complainant in filthy language and made criminal intimidation.

4. Taking note the above facts and circumstances, this Court is of the considered view that the custodial interrogation of the petitioners are not necessary. The act attributed to these petitioners is different from the criminal act against the first accused.

5. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate No.II, Tindivanam, on condition that each of the petitioners shall execute a separate bonds 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 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 petitioners 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 petitioners 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 petitioners shall report before the Investigating Officer daily at 10.30 a.m., until further orders;

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



(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

05/05/2022

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,
NO.II, TINDIVANAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TINDIVANAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SATHISH RAJAN Advocate on payment of necessary charges SR.NO. 6768

CRL OP.10677/2022

Date :05/05/2022

RW 11/05/2022