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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11962 of 2022

C.VASANTHRAJ [PETITIONER / ACCUSED]

Vs

THE STATE OF TAMILNADU REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
K-2, AYNAVARAM,
CHENNAI-600 010.
(CR.NO.190/2022)

For Petitioner : M/S. R.VEERAMANI Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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 offences punishable under Sections 294(b) and 506(i) of IPC in Crime No.190 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on account of a matrimonial dispute, the petitioner, who is none other than the son-in-law of the defacto complainant, is alleged to have abused him in a filthy language and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner has abused the defacto complainant who is his father-in-law in an unparliamentary words and also made criminal intimidation, thus, he vehemently opposed to grant anticipatory bail to the petitioner.

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5. Considering the above fact and circumstances of the case and also taking note of the fact that the matter pertains to a matrimonial dispute, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 on which the order copy made ready, before the learned V Metropolitan Magistrate Court, Chennai-08, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

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TO

1 THE V METROPOLITAN MAGISTRATE,
EGMORE,CHENNAI-08.

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

3 THE INSPECTOR OF POLICE,
K-2, AYNAVARAM, CHENNAI-600 010.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to R.VEERAMANI Advocate on payment of necessary charges
SR.No.7267

CRL OP.11962/2022

Date :19/05/2022

CSK 24/05/2022

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