



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

Friday, the Twentieth day of May Two Thousand Twenty Two

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PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.12007 of 2022

SAMPATH

[PETITIONER / ACCUSED]

Vs

STATE BY,
THE INSPECTOR OF POLICE,
SELVAPURAM POLICE STATION,
COIMBATORE CITY.
(CRIME NO. 135 OF 2022)

[RESPONDENT]

For Petitioner : M/S. B.GOPALAKRISHNAN Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

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

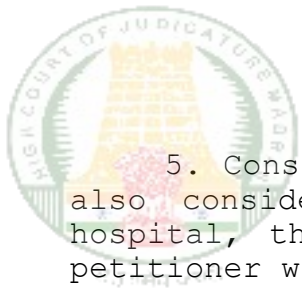
ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324, 506 (ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 in Crime No.135 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that as there was a previous enmity between the petitioner and the defacto complainant, quarrel ensued between them, due to which, the petitioner said to have abused the defacto complainant in filthy language and assaulted her, thereby caused injury to the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any 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. The learned Addl. Public Prosecutor appearing for respondent would submit that the injured was treated as outpatient and discharged from the hospital on 18.04.2022. However, he vehemently opposed for grant of anticipatory bail to the petitioner.



5. Considering the above facts and circumstances of the case and also considering the fact that the injured discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 Additional Mahila Court, Coimbatore on condition that the petitioner shall execute a separate 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 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].

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

-sd/-

20/05/2022

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 ADDITIONAL MAHILA COURT,
COIMBATORE

2 THE INSPECTOR OF POLICE,
SELVAPURAM POLICE STATION,
COIMBATORE CITY.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. B.GOPALAKRISHNAN Advocate on payment of necessary
charges Sr.7662

CRL OP.12007/2022

Date :20/05/2022

RVR 23/05/2022