



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12476 of 2022

MANIVANNAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
KONDALAMPATTI POLICE STATION,
SALEM DISTRICT.
(CRIME NO.213 OF 2022)

[RESPONDENT]

For Petitioner : M/S.N.ANAND Advocate

For Respondent : MR.V.MEGANATHAN, Govt. Advocate (Crl. Side)

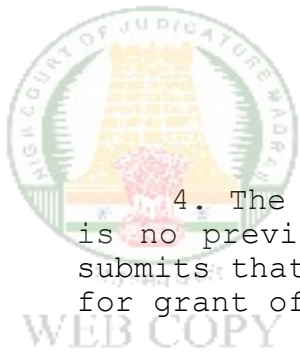
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 147, 294 (b), 323, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.213 of 2022, seek anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the petitioner and the defacto complainant, as a result of which, the petitioner is said to have pulled the defacto complainant and torned her cloths and assaulted with wooden log, stones, hands and legs and caused injuries to her and her parties and also threatened them with dire consequences. The respondent police have registered FIR based on complaint given by both the sides in Cr.Nos.213 & 214 of 2022.

3. The learned counsel for the petitioner submitted that the petitioner is a innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that there is no previous case pending as against this petitioner. He further submits that there is a case and counter. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration, the facts and circumstances of the case, 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Additional Mahila Court, Salem on condition that each of 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 daily @ 10.30 am for a period of two weeks and thereafter, 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 229-A IPC.

WEB COPY

-sd/-

26/05/2022

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,
ADDITIONAL MAHILA COURT, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KONDALAMPATTI POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.N.ANAND Advocate on payment of necessary charges
SR.No.7972

CRL OP.12476/2022

Date :26/05/2022

CSK 01/06/2022