



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Twenty Seventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12733 of 2022

K.NANDAGOPALAN

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
R-5, VIRUGAMBAKKAM POLICE STATION,  
VIRUGAMBAKKAM,  
CHENNAI-600092.  
CRIME NO.357 OF 2022.

[ RESPONDENT ]

For Petitioner : M/S.D.BASKAR Advocate

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

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 offence under sections 294(b), 323 and 427 of IPC read with Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.357 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused is alleged to have attacked the defacto complainant's daughter. The petitioner is arrayed as A2.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the petitioner is the friend of A1. A1 and the defacto complainant's daughter loved each other and thereafter they got separated due to mis-understanding in between them. The petitioner only arranged the meeting of A1 and defacto complainant's daughter and nothing more and thereafter all had happened between A1 and defacto complainant's



daughter and it is not of petitioner's concern. The learned counsel further submitted that A1 in the case has already been arrested and let out on bail. Accordingly, the learned counsel prays for grant of Anticipatory Bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that A1 and the defacto complainant's daughter loved each other. On the date of occurrence, the petitioner arranged meeting inbetween A1 and defacto complainant's daughter. During the meeting A1 assaulted the defacto complainant's daughter. But for the petitioner, A1 and defacto complainant's daughter would not have met and occurrence would not have taken place.

5. Heard the submissions made by the learned Counsel appearing for the petitioner and the learned Government Advocate (crl.side) appearing for the respondent.

6. Considering the submission made on either side and the fact that A1 in the case has already been arrested and let out on bail, this Court is inclined to grant anticipatory bail to the petitioner subject to imposing conditions.

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 on which the order copy made ready, before the learned XXIII Metropolitan Magistrate, Saidapet, 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 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 Court concerned 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 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;

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(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

27/05/2022

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 METROPOLITAN MAGISTRATE,  
NO.XXIII, SAIDAPET, CHENNAI.

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

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
R-5, VIRUGAMBAKKAM POLICE STATION,  
VIRUGAMBAKKAM,  
CHENNAI-600 092.

+1 CC to M/S.D.BASKAR Advocate on payment of necessary charges  
SR.NO.8069

CRL OP.12733/2022

Date :27/05/2022

TA-01/06/2022