



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.12664 of 2022

C.RAMESH

[PETITIONER / ACCUSED]

Vs

STATE BY THE INSPECTOR OF POLICE
MANAVALA NAGAR POLICE STATION,
TIRUVALLUR DISTRICT
CR NO.172/2022

[RESPONDENT]

For Petitioner : M/S.M.JAIKUMAR 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 apprehends arrest for the alleged offence under sections 341, 294(b), 323, 307 and 506(ii) of IPC r/w. 4 of Women Harassment Act in Crime No.172 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was quarrel in between the petitioner and the defacto complainant during the temple festival for which, the defacto complainant's wife lodged a complaint as against the petitioner and the same was registered as Crime No.115 of 2022. The present complaint has been lodged by the defacto complainant on the allegation that the petitioner threatened the defacto complainant to withdraw Crime No.115 of 2022.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. The present complaint is an after thought in order to strengthen the earlier complaint and to portray the petitioner in bad light. The learned counsel further submitted that this Court granted anticipatory bail to the petitioner for the case in Crime No.115 of 2022 in Crl.O.P.No.12737 of 2022. Accordingly, the learned counsel prays for grant of Anticipatory Bail to the petitioner.



4.The learned Government Advocate (Criminal Side) appearing for the respondent did not dispute the fact that for the quarrel in between the petitioner and the defacto complainant during the temple festival, the defacto complainant's wife had already lodged a complaint as against the petitioner and the same was registered as Crime No.115 of 2022 and this Court granted anticipatory bail to the petitioner for the case in Crime No.115 of 2022 in Crl.O.P.No.12737 of 2022.

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 fact that for the quarrel in between the petitioner and the defacto complainant during the temple festival, the defacto complainant's wife had already lodged a complaint as against the petitioner and the same has been registered as Crime No.115 of 2022 and this Court granted anticipatory bail to the petitioner for the case in Crime No.115 of 2022 in Crl.O.P.No.12737 of 2022, 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 Judicial Magistrate Court No.II at Tiruvallur, 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;

(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 JUDICIAL MAGISTRATE,
NO.II, TIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR(FOR INFORMATION)

3 THE INSPECTOR OF POLICE
MANAVALA NAGAR POLICE STATION,
TIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.JAIKUMAR Advocate on payment of necessary charges
Sr.8053

CRL OP.12664/2022

Date :27/05/2022

RVR 31/05/2022