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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.14024 of 2022

Mugunthan

..Petitioner

Vs.

The Inspector of Police,
E-3, Police Station, Chennai.
(Crime No.181 of 2022)

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.181 of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Mohamed Saifulla

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

For Intervener : Mr.G.Prabhakaran

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2022 for the offence punishable under Sections 294(b), 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.181 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the defacto complainant is working as a Deputy General Manager in Radiant Agritech Ltd at Vatika Business Centre, Teynampet. The petitioner was also working in the same company as Free-Lancer. It is alleged that due to previous enmity, the petitioner threatened the defacto complainant and also abused her in filthy language and harassed her when she was alone in the office. Thereafter, the petitioner used to threaten the defacto complainant often in phone calls. Hence, the present case.



3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. Mr.G.Prabhakaran, learned counsel for the Intervener submitted that the petitioner used to give advertisement in the social media under the guise of giving huge money on investment in the company in which the defacto complainant is a Deputy General Manager and also created forged documents. When the same was questioned by the defacto complainant, the petitioner abused her and also harassed her. Hence, he vehemently opposed to grant bail to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner harassed the defacto complainant when she was alone in the office. The petitioner used to threaten the defacto complainant often in phone calls. Hence, he vehemently opposed to grant bail to the petitioner.

6. Considering the above facts and circumstances of the case, and also taking note of the fact that the petitioner is in judicial custody from 21.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing 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 XVIII-Metropolitan Magistrate Court, Saidapet and on further conditions that

[a] 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 at 10.30 a.m, for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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]**.



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

-sd/-

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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.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.XVIII, SAIDAPET, CHENNAI

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
E-3 POLICE STATION,
CHENNAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S. M.MOHAMED SAIFULLA Advocate on payment of
necessary charges SR.NO.9404

CRL OP.14024/2022

Date :17/06/2022

TA-17/06/2022