



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

Thursday, the Twenty Third day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.14511 of 2022

MANIKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
AWPS CHIDAMBARAM, CUDDALORE
CRIME NO.8 OF 2022

[RESPONDENT]

For Petitioner : M/S.OM SAI RAM Advocate

For Respondent : MR.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 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 294(b), 506(1) of IPC, in Crime No.8 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that the petitioner is having illegally intimacy with one women and when the defacto complainant asked about the same, the petitioner assaulted and abused her in filthy language. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the petitioner assaulted and abused the defacto complainant. Hence, he vehemently opposed for grant of anticipatory bail

5.It is seen that there is a matrimonial dispute between the parties, 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 Judicial Magistrate No.II, Chidambaram, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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 appear before the respondent police 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

23/06/2022

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, CHIDAMBARAM

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
AWPS CHIDAMBARAM, CUDDALORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.OM SAI RAM Advocate on payment of necessary charges
SR.NO.9841

CRL OP.14511/2022

Date :23/06/2022

RVR 29/06/2022