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CrI.O.P.No.18232 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2022

CORAM

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

CrI.O.P.No.18232 of 2022

Murugan @ Senthil

...Petitioner

Vs.

State by:
The Sub-Inspector of Police,
Veppur Police Station,
Cuddalore District.
(Crime No.438 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner/accused on bail in connection with
Crime No.438 of 2022 on the file of respondent police.

For Petitioner : Mr.V.Ramana Reddy

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.06.2022 for the offences punishable under Sections 354(b), 450 and 506(i) of the Indian Penal Code, 1860 read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act (TNPWH) in Crime No. 438 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, the petitioner under the influence of alcohol went to the defacto complainant house and thereby attempted to misbehave with her. Hence, the complaint.

3.The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submit that the petitioner is in Judicial Custody from 10.06.2022. onwards. Hence, he has prayed for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the petitioner attempted to misbehave with the defacto complainant. Hence, he opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 10.06.2022, this Court is inclined to grant bail to the petitioner.

6. 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 blood related sureties**, each for a like sum to the satisfaction of the learned **Principal District and Sessions Judge, Cuddalore District** 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



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police twice daily at 10.30.a.m., and 04.30.p.m., for a period of four 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.

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To

1. Principal District and Sessions Judge,
Cuddalore District.
2. The Sub-Inspector of Police,
Veppur Police Station,
Cuddalore District.
3. Cuddalore Central Prison,
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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