



Crl.OP.No.21182 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM

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

Crl.OP.No.21182 of 2022

Gokulakrishnan

..Petitioner

Vs.

State Represented by
The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.
(Crime No.184 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.184 of 2022 on file of the respondent Police.

For Petitioner : Mr.G.B.Sivakumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.07.2022 for the offence punishable under Sections 448, 294(b), 354(a) and 506(i) of IPC r/w Section 4 of Women Harassment Act, in Crime No.184 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are relatives. The petitioner trespassed into the house of the defacto complainant and abused her in filthy language and tried to abuse her sexually. Hence, the complaint.

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 and he is no way connected with the offence as alleged by the prosecution. However, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner trespassed into the house of the defacto complainant and abused her in filthy language and tried to abuse her sexually. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, and also taking note of the fact that the petitioner is in judicial custody from 31.07.2022, 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 sureties, each for a like sum to the satisfaction of the learned District Munsiff Cum Judicial Magistrate, Pallipet 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.



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[b] the petitioner shall report before the respondent Police daily at 10.30 a.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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G.K.ILANTHIRAIYAN, J.

mn

To

- 1.The District Munsiff Cum Judicial Magistrate, Pallipet.
- 2.The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.
3. The Sub Jail, Tirutani,
Tiruvallur District.
- 4.The Public Prosecutor,
High Court of Madras

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