



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

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CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.25678 of 2021

1. R. Parasuraman .. Petitioners
2. P. Krishnamoorthy

Vs.

The State represented by
The Sub-Inspector of Police
Vanapuram Police Station,
Thiruvannamalai District
(Crime No.479 of 2021) ...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest in Cr.No.479 of 2021 on the file of the respondent police.

For Petitioners : Mr.K. Kannan
for M/s.S.Sooraikanth

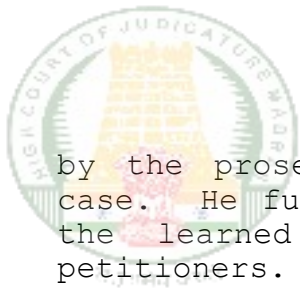
For Respondent : Mr.N.S.Suganthan,
Government Advocate (CrI.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 341, 294(b), 323, 506(i) of IPC and Section 4 of Women Harassment Act in Cr.No.479 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that, there was a dispute between the petitioners and the defacto complainant regarding previous enmity and land dispute already existing between them, due to which, the petitioners abused the defacto complainant in filthy language, assaulted her, , threatened her with dire consequences and harassed her. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners have not been committed any such offence as alleged



by the prosecution and they have been falsely implicated in this case. He further submits that there was a case in counter. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl side) submits that there was a case in counter. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by both counsel and also considering the fact that there was a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are directed to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned *Judicial Magistrate, Thandrapet, Tiruvannamalai District* on condition that the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 stand dismissed and on further condition that:

(a) the petitioners 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 first petitioner being a Senior Citizen shall report before the respondent police as and when required for interrogation and the second petitioner shall report before the respondent police on Wednesday at 10.30a.m., for a period of four weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

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-sd/-
04/01/2022

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 JUDICIAL MAGISTRATE,
THANDRAMPET.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVANNAMALAI DISTRICT (FOR INFORMATION).

3 THE SUB-INSPECTOR OF POLICE,
VANAPURAM POLICE STATION,
THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1CC to M/S.S.SOORAIKANTH Advocate on payment of necessary charges SR.No.125

CRL OP.25678/2021

Date :04/01/2022

INBA 10/01/2022