



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2022

CORAM:

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

Cr1.O.P.No.25755 of 2021

1. N.Z.Abithammal
2. Mohamed Buhari Younus

... Petitioners

Vs.

State represented by
The Inspector of Police
El Mylapore Police Station,
Mylapore,
Chennai - 600 004.
Crime No.1195 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 his arrest by the respondent police in Cr.No.1195 of 2021 on the file of the respondent police.

For Petitioners : Mr.D.Alexis Sudhakar

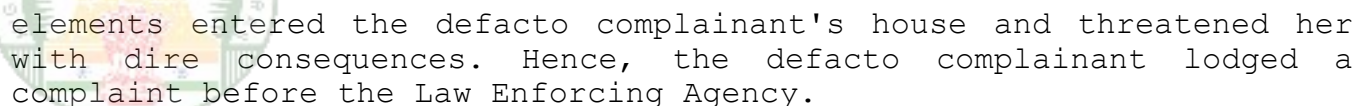
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 457,294(b), 323 IPC R/W section 4 of Prohibition of harassment of Women act, 2002, in Crime No.1195 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the sister of A1 and the A2 is the husband of A1. It is alleged that the defacto complainant is in possession of 1st floor and the petitioner along with her aged mother resides in the ground floor of the same roof. It is alleged that the defacto complainant wanted to curb the entire property, due which the petitioners along with rowdy



4. The learned Additional Public Prosecutor appearing for the respondent submits that investigation almost completed and further the defacto complainant sustained no injuries. However, he opposed for grant of anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his 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 XXII MM Egmores on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[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 has been imposed and the



petitioners is 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;

-sd/-
10/01/2022

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 METROPOLITAN MAGISTRATE,
NO.XXII, EGMORE.

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

3 THE INSPECTOR OF POLICE,
E1 MYLAPORE POLICE STATION,
MYLAPORE, CHENNAI-600 004

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S D.ALEXIS SUDHAKAR Advocate on payment of necessary charges SR.NO.450

CRL OP.25755/2021

Date :10/01/2022

JPA 20/01/2022