



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2022

CORAM

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.25900 of 2021

P.Dinesh

... Petitioner

Versus

State represented by  
The Sub Inspector of Police,  
Chennimalai Police Station,  
Erode.  
(Crime No.402 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest in Crime No.402 of 2021 on the file of the respondent.

For Petitioner : Mr.M.Soundar Vijay Arul Ram

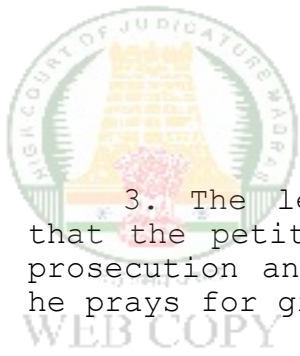
For Respondent : Mr.A.Gokulakrishnan,  
Additional Public Prosecutor

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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 324, 365 and 451 of IPC in Crime No.402 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 10.12.2021 the defacto complainant had lodged a complaint before the respondent stating that her son S.Ramesh had married 8 years ago to one Divya and due to wedlock they had a daughter Sadhana. Defacto complainant's son was doing several different types of jobs from the time of marriage, when defacto complainant's husband got sick her son came to their house to take care of him from his in-laws house. Meantime the said one Ramesh as a job he started milking their cows and selling milk to private companies. He also joined with one Chellamuthu from Erode and started doing a MLM business and met a heavy money loss. Due to this one Saravanan from Madurai and one Sankar from Chennimalai started threatening the defacto complainant's son for their loss of money because of his business. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that A3 alone arrested, there was a dispute with regard to business transaction. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed 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 *learned Judicial Magistrate, Chennimalai*, on condition that the petitioner 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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;

(b) the petitioner shall report before the respondent police on every Monday and Thursday at 10.30 a.m., until further orders;

(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]*; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

07/01/2022

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 JUDICIAL MAGISTRATE,  
CHENNIMALAI, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE  
ERODE DISTRICT [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,  
CHENNIMALAI POLICE STATION,  
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S M.SOUNDAR VIJAY ARUL RAM Advocate on payment of necessary charges SR.No.339

CRL OP.25900/2021

Date :07/01/2022

CSK 12/01/2022