



Crl.O.P.No.25759 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.25759 of 2023

Rajadurai S/o. Tamilmani

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Annur Police Station,
Coimbatore District.

(Crime No.648 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail concerned in Crime No.648 of 2023 on the file of the respondent police with terms and conditions.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



CrI.O.P.No.25759 of 2023

WEB COPY

ORDER

The petitioner seeks bail in Crime No.648 of 2023, registered by the respondent police for the offences punishable under Sections 447, 294(b), 506(ii) of IPC and Section 4(1)(J) of Tamil Nadu Prohibition Act. The petitioner had been remanded to judicial custody on 16.09.2023.

2.The petitioner appears to have very interesting life that focused on just one lady. The petitioner had a relationship and they separated but he had put photographs in Facebook, necessitating registration of FIR in Crime No.37 of 2022 in which, he was arrested and then released on bail. While on bail, he again went over to the house of that lady and threatened her to withdraw the case. This necessitated FIR in Crime No.531 of 2023 to be registered and in that, again anticipatory bail was granted. The present FIR in Crime No.648 of 2023 had been registered that he again went over to the house of the young girl and threatened her to withdraw the case.

3.The learned counsel for the petitioner stated that the petitioner had been languishing about more than 66 days but he should realize that he has to lead his separate life and every individual has a right to lead



Crl.O.P.No.25759 of 2023

their separate life and unless there is consensus, they cannot overlap and should not be forced to overlap.

4.Taking into consideration of all these facts, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on condition to 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 District Munsif cum Judicial Magistrate, Annur, 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.

[b] the petitioner shall stay at Nagapattinam and report before the Town Police Station, Nagapattinam, everyday Morning at 10.30 a.m., and Evening at 6.00 p.m., until further orders.

[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



Crl.O.P.No.25759 of 2023

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.

10.11.2023

ata



WEB COPY



CrI.O.P.No.25759 of 2023

To

1. The District Munsif cum Judicial Magistrate, Annur.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
Annur Police Station,
Coimbatore District.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.25759 of 2023

C.V.KARTHIKEYAN. J.

ata

Crl.O.P.No.25759 of 2023

10.11.2023