



Crl.O.P.No.6071 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

CORAM

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

Crl.O.P.No.6071 of 2024

Aswin

...Petitioner/Accused

Vs.

State rep. by
Inspector of Police,
Tiruchengode Police Station,
Namakkal District.

(Crime No.25 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.25 of 2024 on the file of the respondent.

For Petitioner : Mr.N.Ranjith Kumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

The petitioner seeks bail in Crime No.25 of 2024, registered by the respondent police for the offences punishable under Sections 294(b), 509, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998. The petitioner had been taken into custody on 22.01.2024.

2. The petitioner is running IAS Academy in the name of Arthanariswarar IAS Academy, Tiruchengode. The daughter of the defacto complainant was student there.

3. It is stated that the petitioner had talked by using obscene language to the daughter of the defacto complainant.

4. A counter affidavit had been filed by the respondent stating that as against the petitioner herein, yet another FIR had been registered in Crime No.29 of 2024, under Sections 366, 376(2)(n), 506(2) of IPC and 66 (E) of IT Act. It is also stated that the investigation has been completed.



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5. Isolating this case and taking into consideration all the factors, I am inclined to grant bail to the petitioner subject to the following conditions:

6. 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 (**one surety must be a blood surety of the petitioner**) each for a like sum to the satisfaction of the **learned Judicial Magistrate, Tiruchengode**, 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 report before the respondent police everyday at 10.30 a.m., until further orders, whenever he released on bail in FIR in Crime No.29 of 2024.

[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



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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.

7. It is made clear that this order is passed taking into consideration the offences alleged in the present FIR in Crime No.25 of 2024 and certainly not referred to the allegation in Crime No.29 of 2024, which allegations will have to be independently examined. If at all any relief sought by the petitioner herein, this order should not be construed as precedence in favour of the petitioner herein in Crime No.29 of 2024.

20.03.2024

rjr



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C.V.KARTHIKEYAN. J.

rjr

To

1. The Judicial Magistrate, Tiruchengode.
2. The Central Prison, Salem.
3. The Inspector of Police,
Tiruchengode Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras.

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