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CrI.O.P.No.12485 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2024

CORAM:

THE HON'BLE MR. JUSTICE C.SARAVANAN

CrI.O.P.No.12485 of 2024

1.Anandbabu.N

2.Raji N

...Petitioners/Accused

Vs.

State Rep by:-

The Inspector of Police,

Thirutani Police Station,

Thiruvallur District

(Crime No.507/2024)

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C., pleaded to enlarge the petitioners on bail, in connection with Crime No.507 of 2024 on the file of the respondent police.

For Petitioners : Mr.S.Marshall

For Respondent : Mr.R.Vinothraja
Government Advocate
(Criminal Side)

ORDER

The petitioners, 2nd and 3rd accused were arrested and remanded to judicial custody on 02.05.2024 for the offences punishable under Sections 323, 324, 506 (ii) of the IPC read with Section 4 of the Prohibition of



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Woman Harassment Act and Section 3 of TNPPD Act in Crime No.507 of 2024, registered on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the petitioners are appeared to have indulged in verbal abuse with the victim/defacto complainant, had damaged the defacto complainant's vehicle and had apparently used filthy language. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons, who are no way connected with the alleged offence, and a false complaint has been foisted against them. He would further submit that the main accused A1 has secured an order of anticipatory bail by this Court on Crl.O.P.No.11897 of 2024 on 17.05.2024. He also submitted that the petitioner is also ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the estimated value of the damage cost



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is about Rs.7,000/- (Rupees Seven Thousand Only). However, he vehemently opposed to grant bail to the petitioners.

5. Heard the learned counsel for the Petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submissions on either sides and also considering the fact that 1st accused had already been granted anticipatory bail by this Court on 17.05.2024 in Crl.O.P.No.11897 of 2024, this Court is inclined to grant bail to the petitioners who are arrested for the alleged offence on 02.05.2024 subject to the petitioners depositing a sum of Rs.5,000/- (Rupees Five Thousand Only) each to the credit of Crime No.507 of 2024.

7. Accordingly, the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to credit of Crime No.507 of 2024 and on such deposit the petitioners are ordered to be released on bail on their executing a bond 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 learned



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Judicial Magistrate, Thiruttani 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 petitioners shall report before the respondent police daily at 10.30.a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC .

23.05.2024

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To

1.The Judicial Magistrate,
Thiruttani.

2.The Inspector of Police,
Thirutani Police Station,
Thiruvallur District.

3. The Sub Jail, Thiruttani

4.The Public Prosecutor,
High Court of Madras.



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C.SARAVANAN.,J.

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