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Crl.O.P.No.31869 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31869 of 2024

Vengatesan
S/o.Appavu No. 10/96, Mela Street,
Thoppallikuppam, Ammeri, Cuddalore District.

Petitioner(s)

Vs

The State Rep.By The Inspector Of Police
Neyveli Thermal Police Station Cuddalore. Crime
No. 232 of 2024

Respondent(s)

For Petitioner(s):

Muthupandi V
V.Muthupandi
M.Manjula

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 115(2), 232(1), 296(b) and 351(3) of BNS r/2. Section 4 of TNPHW in Crime No.232 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein along



with other accused persons had threatened the witnesses, to prevent them giving evidence in a sessions case in S.C.No.71 of 2020, pending on the file of the Mahila Court, Cuddalore and also threatened and assaulted the defacto complainant. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and has not committed any offence and false complaint has been lodged against the petitioner. He would further submit that the defacto complainant is the witness in the case in S.C.No.71 of 2020 and the present complaint has been lodged, only to extort money from the petitioner and other accused persons. He would further submit that the co-accused persons were arrested and enlarged on bail by this Court vide order dated 04.12.2024 in Crl.O.P.No.29142 of 2024 and the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioner, stating that the petitioner along with the other accused persons threatened the witnesses in S.C.No.71 of 2020 and also assaulted the defacto complainant.



had induced the defacto complainant, had sexual intercourse with her and also taken obscene photographs of her. He further submitted that the petitioner herein is arrayed as A5, who is the father of the victim girl and has one previous case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and the co-accused were arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned District Munsif cum Judicial Magistrate, Neyveli** on condition that the petitioner shall execute a separate 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:

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[a] the petitioner and 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 Mahila Court, Cuddalore on all working days 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 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 269 of B.N.S.



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To

1. The State Rep.By The Inspector Of Police
Neyveli Thermal Police Station
Cuddalore.
Crime No. 232 of 2024

A.D. JAGADISH CHANDIRA, J.

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