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CRL OP No. 11189 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11189 of 2025

1. M.Manikandan

S/o.Gandipan. No.138,Ambedkar
Street, Ponneri, Thiruvallur District.

Petitioner(s)

Vs

1. State rep by, The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District. Cr.No.43/2022.

Respondent(s)

PRAYER

To Grant Anticipatory Bail to the Petitioner In the event of his arrest by the Respondent pending investigation in E-5 Crime No.43 of 2022 on the file of E-5 Sholavaram Police Station and Pass such other or further Order as this Hon'ble Court may deem fit and necessary in the Circumstances of the above case and thus render justice.

For Petitioner(s): Mr. S.Kaviarasu

For Respondent(s): Public Prosecutor



ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 354, 354(D), 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.43 of 2022, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had given 10 sovereigns of gold to the petitioner for purchasing a second hand car; that the petitioner neither purchased a car nor returned the jewels; that when the same was questioned, the petitioner had threatened the defacto complainant and her child. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the first anticipatory bail application in CrI.O.P.No.30722/2022 was dismissed on 16.12.2022; that the second anticipatory bail application was dismissed by this Court in CrI.O.P.No.13970/2024 on 19.06.2024; that the complaint was lodged in the year 2022; that the petitioner has not been arrested so far; and that in any case, the allegations do not warrant custodial interrogation and hence prayed for grant of anticipatory bail to the petitioner.



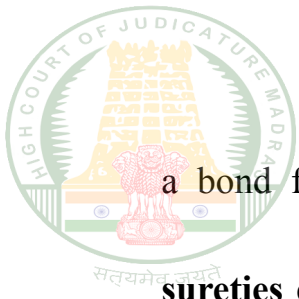
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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that investigation is almost completed.

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

6. Though the earlier anticipatory bail petitions were dismissed, the petitioner has not been arrested so far. The FIR was lodged in the year 2022. The investigation is at its fag end. Considering the aforesaid facts and change in circumstances, this Court is inclined to grant anticipatory bail to the petitioner on 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 Judicial Magistrate No.II, Ponneri, Thiruvallur District on condition that the petitioner shall execute



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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 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 respondent Police as and when required for the interrogation;

[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];

[f] If the accused thereafter absconds, a fresh FIR can

be registered under Section 269 of B.N.S.

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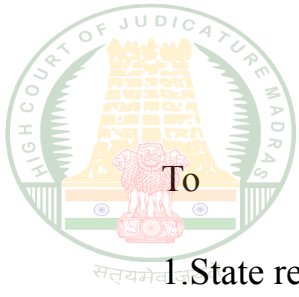
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. State rep by, The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District. Cr.No.43/2022.

2. The Judicial Magistrate-II,
Ponneri, Thiruvallur.
3. The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN J.

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