

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.10991 of 2019

1 M.AMMAADAASAN
2 VASANTHA
3 M.ANBAZHAGAN

[PETITIONERS / ACCUSED]

Vs

THE STATE BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VIKKARAMANGALAM POLICE STATION,
ARIYALUR DISTRICT.
(CR.NO.72/2019)

For Petitioner : M/S.E.P.SENNIYANGIRI Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 324, 506 (ii) of IPC and r/w 4 Women Harassment Act, in Crime No.72 of 2019 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 12.04.2019 due to previous enmity, the petitioners have assaulted the defacto complainant and her husband.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated this case due to Civil dispute and he would submit that they are relatives. He would also further submit that the victim has been discharged from the hospital.

4. The learned Additional Public Prosecutor submitted that due to previous enmity, the petitioners have assaulted the defacto complainant and her husband. The injured have been discharged from the hospital and there are no previous case against these petitioners.

5. Taking into consideration the facts and circumstances of the case, the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Jayamkondam, on condition that each of the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further conditions that:

[a] the petitioners 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] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[c] the petitioners shall report before the learned Judicial Magistrate No.I, Jayamkondam, every day at 10.30 a.m., until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
30/04/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, JAYAMKONDAM.

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VIKKARAMANGALAM POLICE STATION,
ARIYALUR DISTRICT.

+1CC to M/S.E.P.SENNIYANGIRI Advocate on payment of necessary charges SR NO.9149

CRL OP.10991/2019

Date :30/04/2019

MK:08/05/2019

WEB COPY