

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eighth day of August Two Thousand Nineteen

PRESENT

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

CRIMINAL ORIGINAL PETITION No.20799 of 2019

1 UMAMAHESWARI
2 MANGAYARKARASI

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT.
CR.NO.151 OF 2019

For Petitioner : M/S.SAIKRISHNAN T. Advocate

For Respondent : MR. K.PRABAKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 and A4 out of 6 accused, apprehend arrest by the respondent police for the offences punishable under Sections 147, 294(b), 323, 324, 506(2) IPC in Crime No.151 of 2019 and seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity the petitioners/A-2 and A-4, along with the other accused assaulted the defacto complainant Ravichandran with wooden log and stick and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that this case has been given in counter to the complaint given by the first petitioner against the de-facto complainant in Crime No.150/2019 for the offence under Section 4 of the Tamil Nadu Prohibition and Harassment Act along with the offences under Sections 147, 294(b), 323, 324, 506(2) IPC and he would also submit that the second petitioner Mangayarkarasi is a Court Staff and she has falsely implicated in this case.

4. The learned Additional Public Prosecutor would submit that there was a clash between two groups and that the cases in counter have been registered in respect of the very same incident. However, he would submit that investigation is still pending and injured has been discharged from the hospital.

5. Taking into consideration, the facts and circumstances of the case and submissions made by the learned counsels this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Perambalur, on condition that each of the petitioners shall execute 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 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] the petitioners, being ladies, shall report before the respondent police daily at 5.30 p.m., for a period of fifteen days and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 229A IPC.

-sd/-
08/08/2019

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,
PERAMBALUR

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

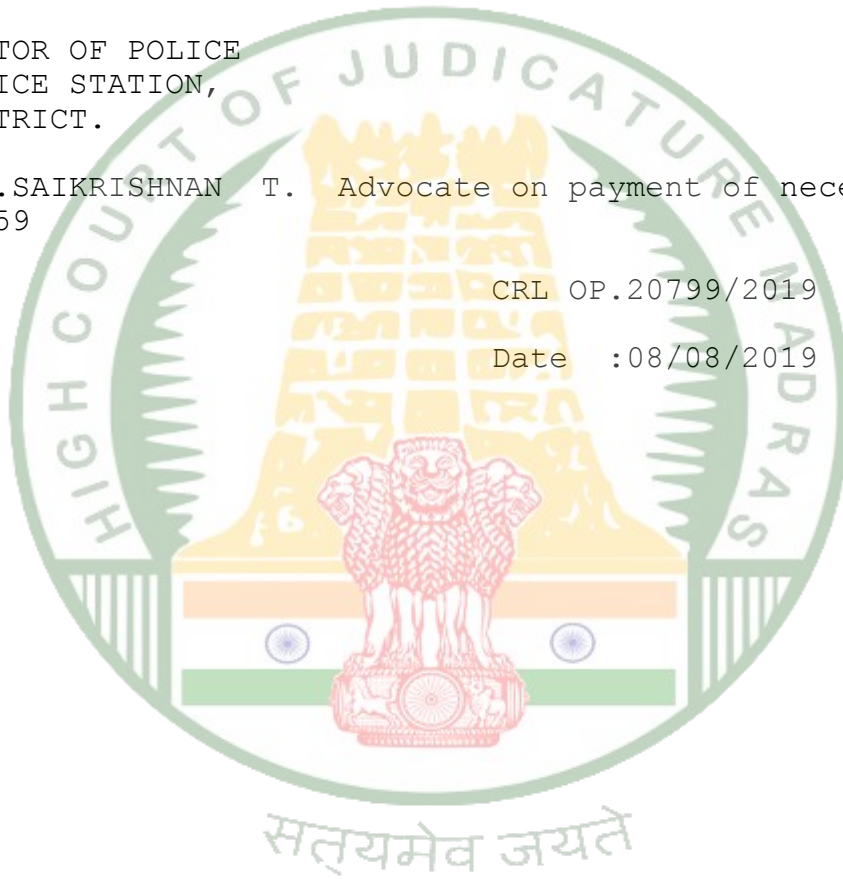
4 THE INSPECTOR OF POLICE
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT.

CC to M/S.SAIKRISHNAN T. Advocate on payment of necessary
charges Sr.16659

CRL OP.20799/2019

Date :08/08/2019

RVR 16/08/2019



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