



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10001 of 2019

1.V.Chinnapandi
2.Subbammal

... Petitioners/Accused
No.2 and 3

Vs

State Represented by
The Sub Inspector of Police,
Palayanur Police Station,
Sivagangai District.
Crime No.31/2019

... Respondent/Complainant

For Petitioners : M/s.R.Venkatesan, Advocate.
For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory Bail in Crime No.31/2019 on the file of the
Respondent Police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 323,
324, 342, 294(b) and 506(ii) of IPC, in Crime No.31 of 2019, seek
anticipatory bail.

2.The learned counsel appearing for the petitioners has
submitted that the counter case has also been registered in Crime
No.32 of 2019 against the defacto complainant. He further submitted
that the defacto complainant sustained only simple injury and he was
already discharged from the hospital.

3.Per contra the learned Government Advocate (Criminal Side)
for the respondent has submitted that due to family dispute, the
petitioners assaulted the defacto complainant and caused injuries.
Investigation is still pending. Therefore, she opposed this
petition.



4.As per FIR, due to family dispute, the petitioners herein, who are father-in-law and mother-in-law and the accused No.1, who is the brother-in-law of the defacto complainant have assaulted the defacto complainant and caused injuries to his teeth.

WEB COPY

5. Taking into consideration of the aforesaid facts and also the fact that A1 was arrested and subsequently released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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 of receipt of a copy of this order, before the learned Judicial Magistrate Court, Manamadurai, on condition that the petitioners shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii)the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv)the petitioners shall not abscond either during investigation or trial.

(v)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].

(vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
16/07/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE,
MANAMADURAI.

2. THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3. THE SUB INSPECTOR OF POLICE,
PALAYANUR POLICE STATION,
SIVAGANGAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.R.VENKATESAN Advocate SR.No.11758

ORDER

IN

CRL OP (MD) No.10001 of 2019

Date :16/07/2019

das

TK/PN/SAR.4/24.07.2019/3P/6C