

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6638 of 2020

1 ROMEX
2 ALEX
3 ROSE

[PETITIONER / ACCUSED]

Vs

1 STATE REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
N-2, KASIMEDU POLICE STATION,
ROYAPURAM, CHENNAI-600 081.
CR.NO.154/2020.

For Petitioner : M/S.L.PREM KUMAR Advocate

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners/A1-A3 who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323,324 and 506(ii) of IPC and Section 4 of Women Harassment Act, in Crime No.154 of 2020, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute, there was a wordy quarrel between the petitioners and the defacto complainant. The petitioners abused the defacto complainant's daughter with filthy language and attacked the defacto complainant's daughter with hands, thereby she sustained grievous injuries. Hence, the complaint.

3.Learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioners. Therefore, he prays for grant of anticipatory bail to the petitioners.

4.Learned Additional Public Prosecutor would submit that the petitioners abused and assaulted the defacto complainant's daughter with hands and she sustained grievous injuries. He would also submit that the victim is still in hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 III Metropolitan Magistrate, George Town, on condition that the petitioners 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 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] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one week 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 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 229A IPC.

-sd/-

20/03/2020

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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 METROPOLITAN MAGISTRATE,
NO.III,GEORGE TOWN,CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE,EGMORE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
N-2, KASIMEDU POLICE STATION,
ROYAPURAM, CHENNAI-600 081.

+1 CC to M/S.L.PREM KUMAR Advocate on payment of necessary
charges SR.NO. 5478

rd 08/06/2020



CRL OP.6638/2020

Date :20/03/2020

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