

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.8518 of 2020

1.Sumathi

2. Kalimuthu Petitioners/Accused No.1 &2

..Vs..

The State,
Rep. By the Sub-Inspector of Police,
Dharapuram Police Station,
Tiruppur District.

(In Crime No. 154 of 2020)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, seeking to enlarge the petitioner on Anticipatory bail in the event of their arrest in Crime No.154 of 2020 on the file of the Sub-Inspector of Police, Dharapuram Police Station, Tiruppur District.

For Petitioners : M/s. C.S.Saravanan

For Respondent: Mr. M.Mohammed Riyaz, APP

ORDER

The petitioners/Accused No.1 & 2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 323, 324 and 506 (ii) of IPC r/w under Section 4 of TN Prohibition of Harassment of Women Act 2002, in Crime No.154 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute among the family members which lead to a wordy quarrel with the de facto complainant and she is said to have sustained simple injuries.

3. The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that the injured has been discharged from the hospital and there are no previous cases against the petitioners.

4. Taking into consideration the facts and circumstances, 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 Judicial Magistrate, Dharapuram, Tirrupur District, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five thousand only) each 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 shall report before the respondent police, 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

12.06.2020

Index : Yes/No
Internet : Yes/No
Speaking/Non Speaking

jrs

N.ANAND VENKATESH, J

jrs

To

- 1.The Judicial Magistrate, Dharapuram,
Tiruppur District.
2. The Sub-Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
- 3.The Additional Public Prosecutor,
High Court, Madras.



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