

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2020

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P Nos.8575 and 8576 of 2020

1.Anjammal
2.Tamilselvan

... Petitioner in Crl.OP.8575/2020/A6
... Petitioner in Crl.OP.8576/2020/A4

vs.

State rep. by
The Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
(Crime No.896 of 2020)

... Respondent in both Crl.OPs

Common Prayer: Criminal Original Petitions filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in Crime No.896 of 2020 on the file of the respondent.

For Petitioner : Mr.T.Muruganantham
(in both Crl.OPs)

For Respondent : Mr.M.Mohammed Riyaz
Additional Public Prosecutor
(in both Crl.OPs)

COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offense punishable under Sections 147, 148, 294(b) and 324 of IPC and Section 4 of The Prohibition of Harassment of Women Act 2002 in Crime No.896 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons inebriated state developed a wordy quarrel with the victim and attack him and caused him simple injuries. There are totally seven accused persons in this case and the petitioners are ranked as A6 and A4 respectively.

3. The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that A1 was arrested and later enlarged on bail and A2 was granted anticipatory bail in Crl.O.P.No.8062 of 2020 by an order dated 02.06.2020. The learned Additional Public Prosecutor further submitted that the victim has been discharged 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 District Munsif cum Judicial Magistrate, Velangaiman, 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 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

12.06.2020

Speaking Order/Non-Speaking Order

Index : Yes/No

Internet : Yes/No

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To

- 1.The Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
2. The learned District Munsif cum Judicial Magistrate,
Velangaiman.
- 3.The Additional Public Prosecutor,
High Court, Madras.

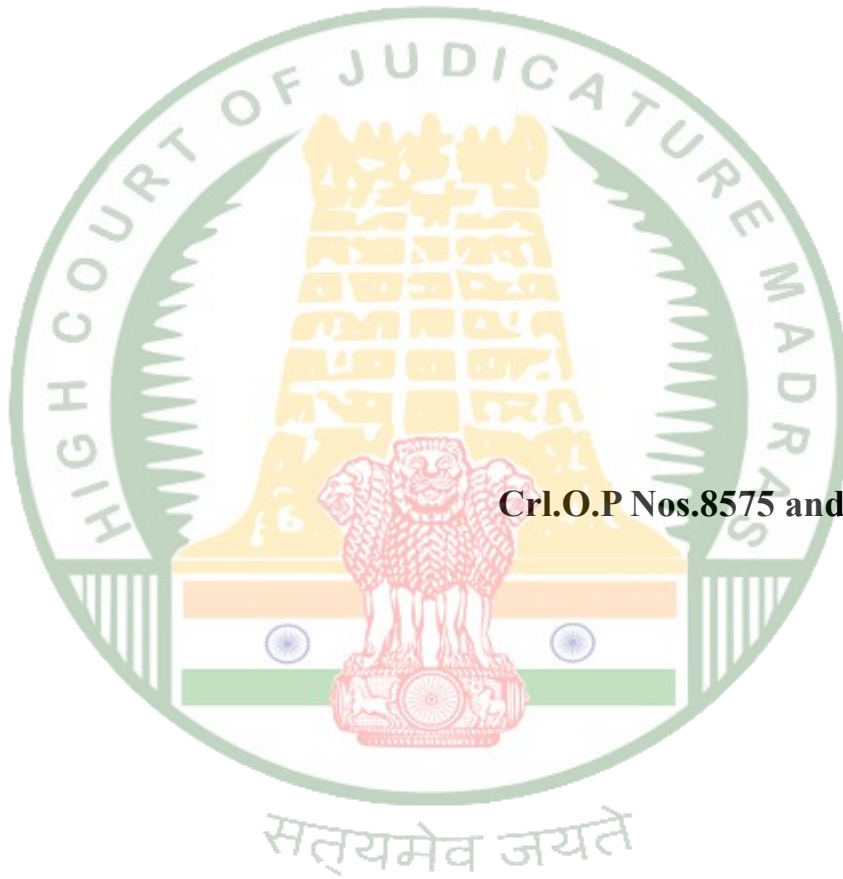


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N. ANAND VENKATESH, J.

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