

Crl.O.P.Nos.9189, 9207 and 9200 of 2020

IN THE HIGHCOURT OF JUDICATURE AT MADRAS

DATED 23.06.2020

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Criminal Original Petition Nos.9189, 9207 and 9200 of 2020
(Heard through video conferencing)

Prasannaraj
S/o Anandaraj
128, Adhidraavidar Middle Street,
Sathanoor,
Pulavarnatham Post,
Valangaiman Taluk.

... Petitioner in Crl.O.P.No.9189/ 2020

Anandraj
S/o Ponnusamy
128, Adhidraavidar Middle Street,
Sathanoor,
Pulavarnatham Post,
Valangaiman Taluk.

... Petitioner in Crl.O.P.No.9207/ 2020

Priyadharshini
D/o Anandaraj
128, Adhidraavidar Middle Street,
Sathanoor,
Pulavarnatham Post,
Valangaiman Taluk.

... Petitioner in Crl.O.P.No.9200/ 2020

VS

State by
Inspector of police,
Valangaiman Police,
Thiruvarur District
Crime No.897 of 2020

... Respondent in all Crl.O.Ps

Common Prayer:- This Criminal Original Petition has been filed under Section 438 Cr.P.C., to enlarge the petitioners on anticipatory Bail, in the event of their arrest, in connection with Crime No.897 of 2020, pending on the file of the respondent police.

For Petitioner
in All Crl.O.Ps : Mr.S.Sathia Chandran

For Respondent : Mr.M.Mohamed Riyaz
in All Crl.O.Ps Additional Public Prosecutor

COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) I.P.C., in Crime No.897 of 2020, on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that on 08.05.2020 at 9.15 pm, there was a wordy quarrel between the petitioners and the defacto complainant in which, the petitioners assaulted the defacto complainant with wooden logs. Hence, the present case was registered against the petitioners.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that there was a wordy quarrel between the petitioners party on one side and the defacto complainant's party on another side. The injured /defacto complainant discharged from hospital and there was a case in counter in Crime No.896 of 2020 by the petitioners herein against the defacto complainant's party.

5. Considering the above facts and circumstances of the case and the fact that the injured has been discharged from the hospital, 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 on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Valangaiman, on condition that the each of 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 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 daily at 10.30 a.m for a period of two weeks 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/s in accordance with law as if the conditions have been imposed and the petitioner/s 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 abscond, a fresh FIR can be registered under Section 229A IPC.

23.06.2020

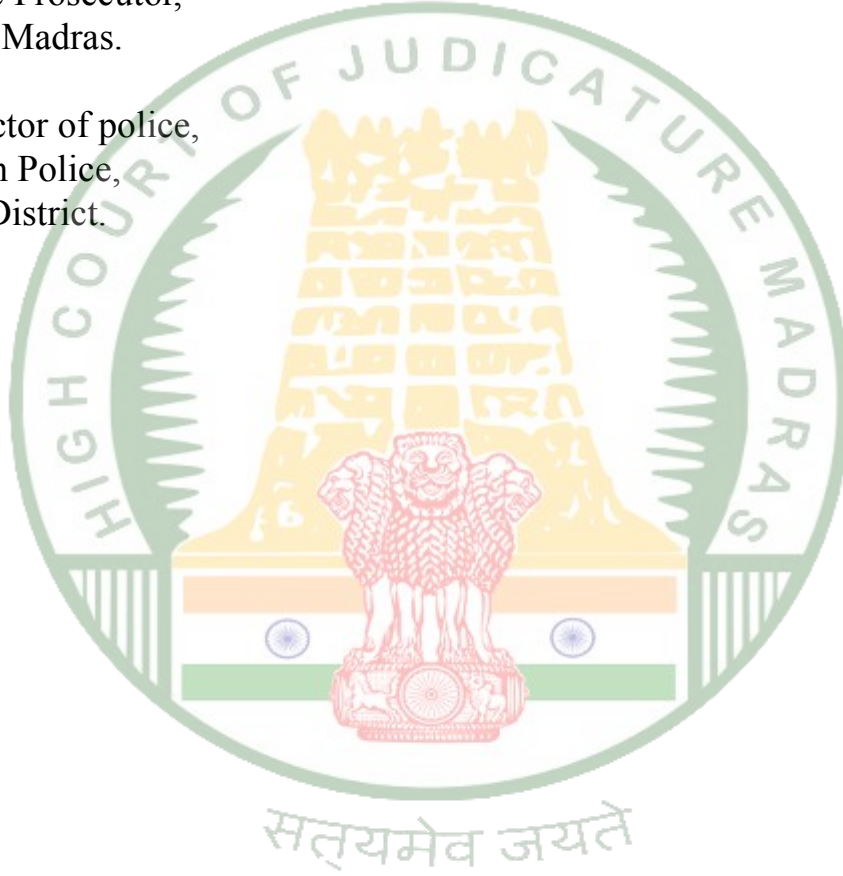
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To

1.The District Munsif cum Judicial Magistrate,
Valangaiman.

2.The Public Prosecutor,
High Court, Madras.

3.The Inspector of police,
Valangaiman Police,
Thiruvarur District.



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G.K.ILANTHIRAIYAN.J.,

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