

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No. 9303 of 2020

1.Dr.Premaraja, 39 years, A1
S/o.Ramalingam,
residing at 41, Amritha Illam,
Annai Nagar Villianour, Puducherry.

2.Ramalingam, 70 years, A2
S/o.Murugesan,
residing at 41, Amritha Illam,
Annai Nagar Villianour, Puducherry.

3.Premavathy, 60 years, A3
W/o.Ramalingam,
residing at 41, Amritha Illam,
Annai Nagar Villianour, Puducherry.

... Petitioners

Vs

The State represented by
Station House Officer,
Villianour All Women Police Station,
Puducherry District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to enlarge the petitioners on anticipatory bail in the event of their
arrest in Crime No.2 of 2020, pending on the file of the respondent.

For Petitioners : Mr.S.Sounthar
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498-A, 294 (b), 406 r/w Section 34 of IPC in Crime No. 2 of 2020 seeks anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioners and the defacto complainant and it is alleged that the petitioners assaulted the defacto complainant with hands and also abused in unparliamentary words. Hence, the complaint.

3. The 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. Therefore, he prays to grant anticipatory

bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners attacked the defacto complainant. Hence he vehemently opposed to grant 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.

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 Chief Judicial Magistrate, Puducherry, on condition that 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 first petitioner alone shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation and the petitioners 2 & 3 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 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 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.

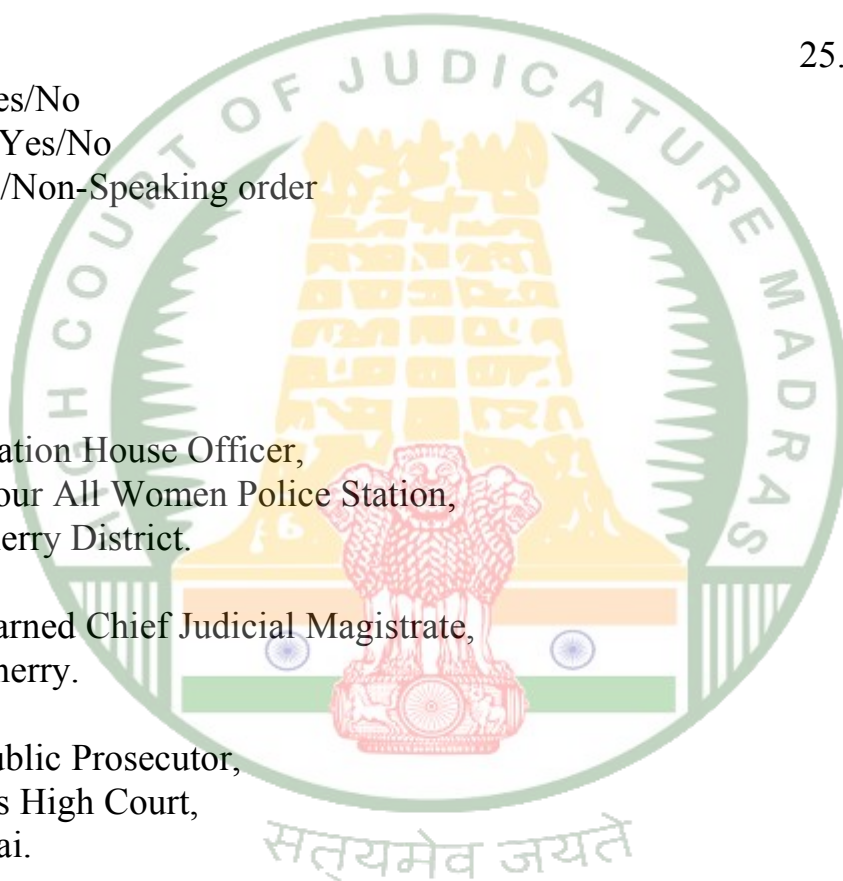
25.06.2019

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

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To

1. The Station House Officer,
Villianour All Women Police Station,
Puducherry District.
2. The learned Chief Judicial Magistrate,
Puducherry.
3. The Public Prosecutor,
Madras High Court,
Chennai.

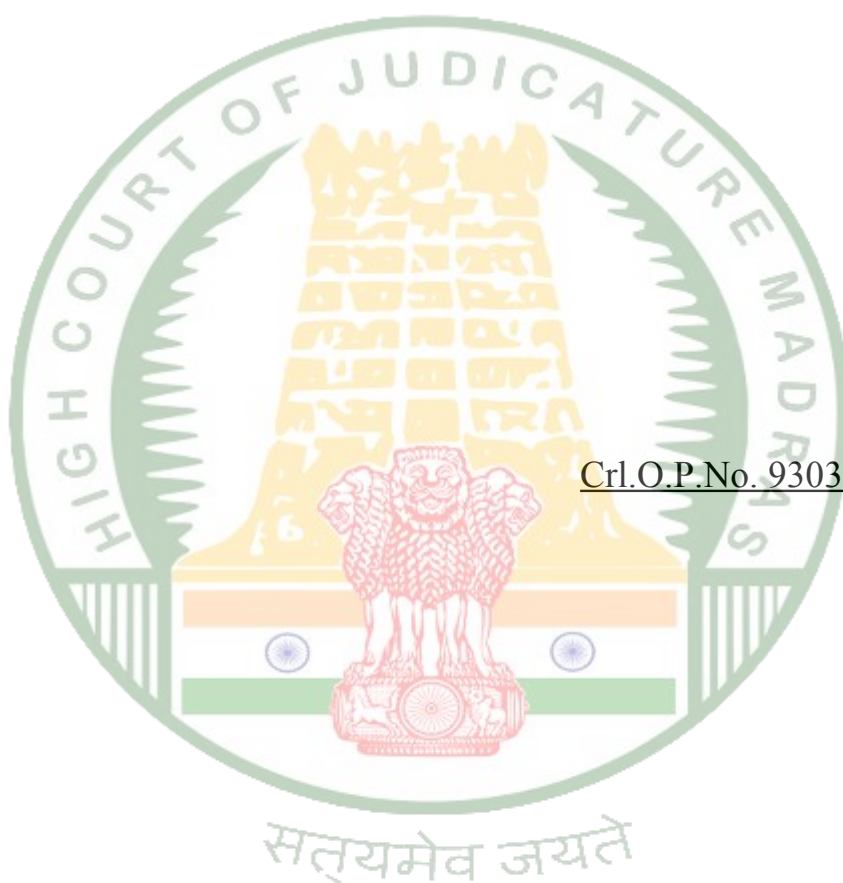


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Pns



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