

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.13067 of 2020

1.Romex
2.Alex
3.Rose

.... Petitioners

Vs.

The State Rep.by,
The Inspector of Police,
N-2, Kasimedu Police Station,
Royapuram, Chennai.
Crime No.154 of 2020

.... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., to enlarge the petitioners on bail in the event of their arrest in Cr.No.154 of 2020 on the file of the respondent police.

For Petitioners : Mr.R.Surya Kumaran

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER
सत्यमेव जयते

(The case has been heard through video conference)

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.

<https://hcservices.courts.gov.in/hcservices/>
3.The learned counsel for the petitioners would submit that the

petitioners are already granted anticipatory bail in CrI.O.P.No.6638 of 2020 on 20.03.2020. However, due to Covid-19, the petitioners were unable to surrender before the concerned Court within the specified time and thereby the earlier order got lapsed.

4.The 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.

6.With the above directions, this Criminal Original Petition is ordered.

-sd/-
27/08/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE CHIEF METROPOLITAN
MAGISTRATE,EGMORE[FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
N-2, KASIMEDU POLICE STATION,
ROYAPURAM, CHENNAI

CC to M/S.R.SURYAKUMARAN Advocate on payment of necessary charges

CRL OP.13067/2020

Date :27/08/2020

RD 10/09/2020

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