

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2020

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.15540 of 2020

1. Murugan  
S/o Vilvanathan

2. Kamatchi  
W/o Murugan

... Petitioners

Vs.

The State represented by,  
The Inspector of Police,  
Thiruvalam Police Station,  
Vellore District.  
(Crime No.1678/2020)

... Respondent

**Prayer:** Criminal Original Petition filed under Section 438 Cr.P.C. to grant anticipatory bail in the event of arrest of the petitioner in connection with Crime No.1678 of 2020 on the file of the respondent police.

For Petitioners : Mr.G. Vinodhkumar

For Respondent : Mr. M.Mohamed Riyaz

Additional Public Prosecutor

**ORDER**

**(The case has been heard through video conference)**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC r/w Section 4 of TNPHW Act in Cr. No.1678 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per defacto complainant Ramani is that the petitioners and the defacto complainant were neighbours and there was a financial dispute between them. Due to which the petitioners picked up quarrel with the defacto complainant and abused him with filthy language. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the defacto complainant has also abused the petitioners with filthy language. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit stating that the petitioners and defacto complainant are neighbours and that the petitioners during a quarrel assaulted the defacto complainant with wooden logs and abused him with filthy language. He would further submit that the first petitioner is harassing the defacto complainant over phone. Hence, he vehemently opposed to grant bail to the petitioners.

5. At this juncture the learned counsel for the petitioners would submit that the petitioners are prepared to abide by any stringent conditions to be imposed by this Court.

6. Considering the above facts and circumstances of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

[a] Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the copy of this order is made ready, the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten 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

Judicial Magistrate, Katpadi, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] 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.

**[c] the petitioners, shall stay at Vaniyambadi and report before the Vaniyambadi Town Police Station everyday at 10.30 a.m. until further orders. The petitioner shall not enter into the jurisdictional limits of the respondent police.**

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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

**06.10.2020**

Internet : Yes/No

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To

1.The learned Judicial Magistrate, Katpadi,

2. The Inspector of Police,  
Thiruvalem Police Station,  
Vellore District.

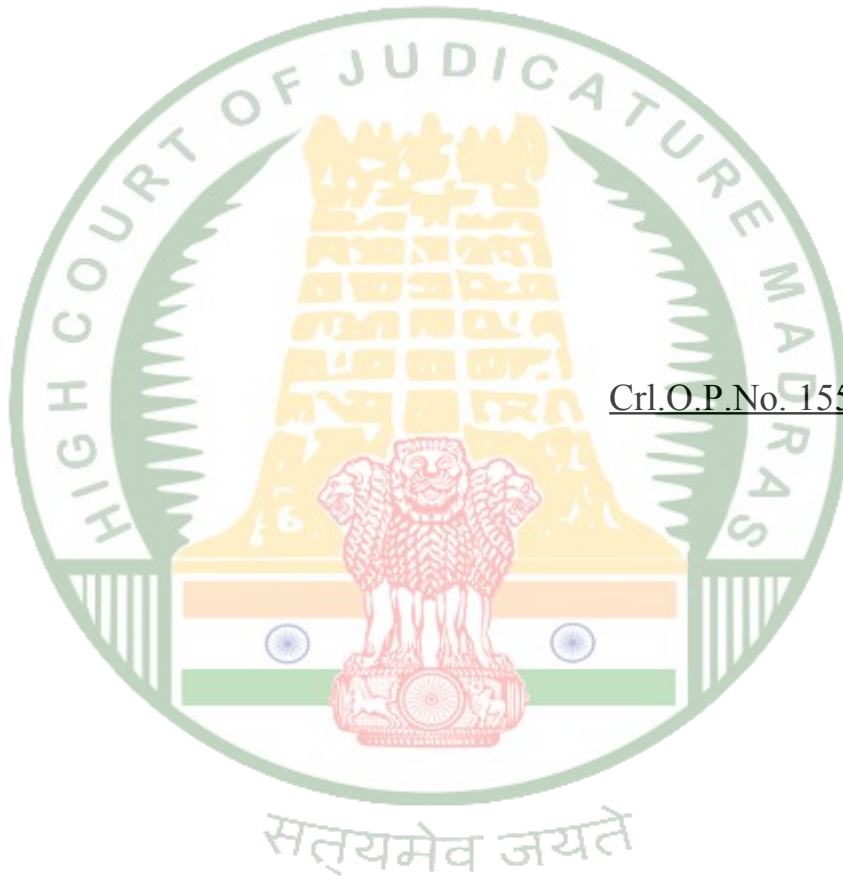
3.The Public Prosecutor,  
High Court, Madras.



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**A.D.JAGADISH CHANDIRA, J.**

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