

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.1426 of 2021

- 1.Ramadoss @ Ramu
- 2.Unnamalai
- 3.Veerammal
- 4.Mahadevi
- 5.Geetha

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.
(Crime No.21 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioners on bail in the event of arrest in respect of Crime No.21 of 2021 on the file of the Inspector of Police, Villupuram Taluk Police Station, Villupuram District.

For Petitioners : Mr.J.Rajmohan

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

सत्यमेव जयते
O R D E R

(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 147, 148, 448, 294(b), 323, 324, 427, 56(2), 379 IPC and 4 TNWH Act, 2002 in Crime No.21 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are ranked as A1, A4, A6, A7 and A8. The allegation is that due to family dispute, the petitioners along with other accused said to have damaged the two wheeler of the defacto complainant and attacked her and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that there was dispute between the defacto complainant and the petitioners family with regard to water pipeline, the defacto complainant often create problems and that the petitioners also sustained injury and that it is a case in counter in Cr.No.22 of 2021 and that a false case has been foisted against the petitioners. He would further submit the petitioners are innocent persons and no way connected with this crime and they have been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that it is a case in counter in Cr. No.22 of 2021 and that A2 was arrested and released on bail. He would further submit that there is no bad antecedents against the petitioners.

5. Taking into consideration the nature of offence and also taking note of the fact that the co-accused arrested and released on bail and that there is no bad antecedents against the petitioners, 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 is made ready, before the learned Additional Mahila Court, Villupuram, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- each (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 as and when required for interrogation.

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

[d] 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].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
02/02/2021

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 ADDITIONAL MAHILA COURT,
VILLUPURAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM DISTRICT.

CC to M/S J.RAJMOHAN Advocate on payment of necessary charges

CRL OP.1426/2021

Date :02/02/2021

cs 17/02/2021

WEB COPY