

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

CrI.O.P.No.6079 of 2020

1. V.Surendar @ Surendhiran  
2. V.Ravi

... Petitioners

Vs.

The State Rep. by  
Inspector of Police,  
B4, Baluchetty Chattiram Police Station  
Kanchipuram District  
(Crime No.97 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioners on bail in the event of their arrest in Crime No.97 of 2020 pending investigation on the file of the Respondent.

For Petitioners : Mr.L.Narayanan

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

O R D E R

(The case has been heard through video conference)

The petitioners have been implicated with the crime for the offence punishable under Sections 448, 294(b), 324, 506 (ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.97 of 2020 and now, they have filed the above petition seeking for anticipatory bail.

2. The case of prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant. At that time, the petitioners have attacked the defacto complainant and his wife. Hence, the criminal case was registered against the petitioners.

3. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor would submit that pending application, the 1<sup>st</sup> petitioner was arrested, hence, the bail application was dismissed as against the 1<sup>st</sup> petitioner.

4. Taking into consideration of the fact that the occurrence has been taken place on 01.03.2020 due to wordy quarrel and there is no injury caused to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

a) 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Kanchipuram, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, 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, and on further condition that:

[b] 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 appear before the respondent police as and when required for interrogation;

[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/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];

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

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

-sd/-  
06/01/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE,  
NO.I, KANCHIPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
B4, BALUCHETTY CHATIRAM POLICE STATION,  
KANCHIPURAM DISTRICT.

+1 CC to M/S.L.NARAYANAN Advocate on payment of necessary charges  
SR.No.131

cs 11/01/2021



CRL OP.6079/2020

Date :06/01/2021

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