

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Second day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7609 of 2021

1 JERINA
2 ANAND RAJ

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
S-6, SANKAR NAGAR POLICE STATION,
KANCHIPURAM DISTRICT.
CRIME NO.6 OF 2021.

For Petitioner : M/S. D.MAGESH Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order:-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.60 of 2021, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, there was a wordy quarrel between the petitioners and the de facto complainant, as a result of which, the petitioners are said to have attacked the de-facto complainant by using stones and hands and caused simple injuries, and there is a case in counter. The respondent police have registered FIR based on complaint given by both the sides in Cr.Nos.60 & 61 of 2021.

3. The learned Government Advocate (Crl. Side) submitted the victim has already been discharged from the hospital. The learned counsel further submitted that there are no previous cases pending against the petitioners.

4. Taking into consideration, the facts and circumstances of the case and also of the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 Judicial Magistrate No.II, Tambaram, 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 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 daily at 10.30 a.m. for a period of two weeks 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 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].

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

-sd/-

22/04/2021

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 JUDICIAL MAGISTRATE NO.II,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

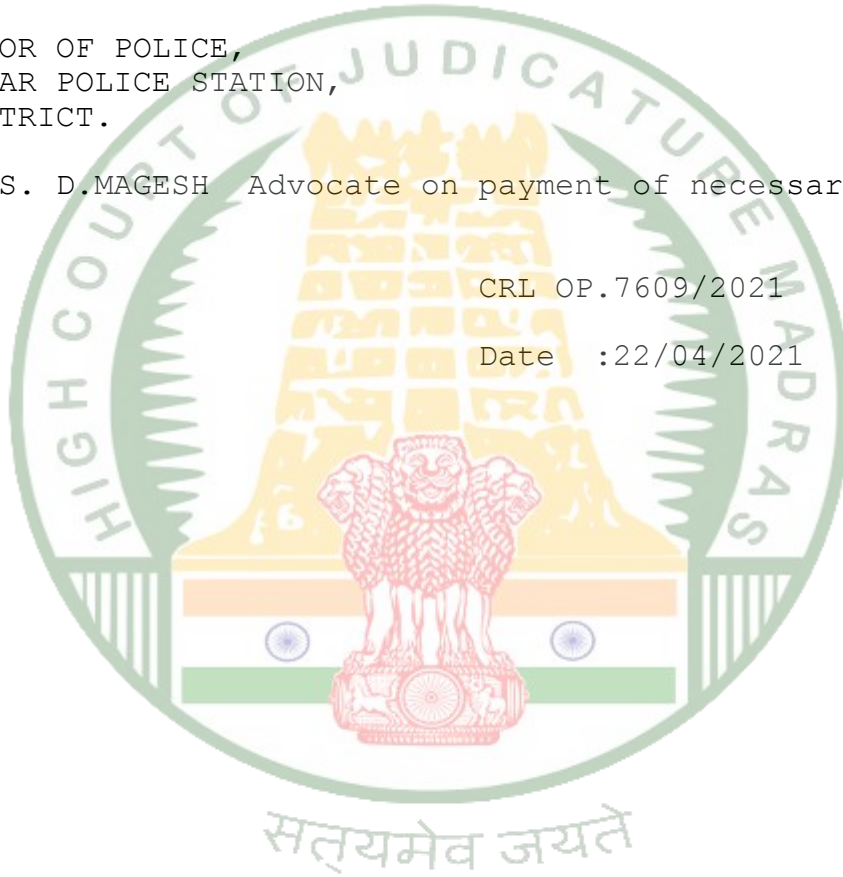
4 THE INSPECTOR OF POLICE,
S-6, SANKAR NAGAR POLICE STATION,
KANCHIPURAM DISTRICT.

+1CC to M/S. D.MAGESH Advocate on payment of necessary charges
SR NO.5188

CRL OP.7609/2021

Date :22/04/2021

MK:30/04/2021



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