

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Seventh day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7904 of 2021

1 PALANIYAMMAL
2 VALLI
3 PARASAKTHI

[PETITIONERS / ACCUSED]

Vs

STATE

[RESPONDENT]

INSPECTOR OF POLICE,
RAYAKOTTAI POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO.71 OF 2021.

For Petitioner : M/S. M.P.SARAVANAN Advocate

For Respondent : M/S.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 147, 294 (b), 506(i) IPC and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.71 of 2021, seek anticipatory bail.

2. The case of the prosecution is that due to pathway dispute, the petitioners and other accused abused the de-facto complainant in filthy language and threatened her with dire consequences.

3. The learned counsel for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that no one sustained injury in this case and 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 no one sustained injury in this case and there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with

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-II, Krishnagiri, 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/-
सत्यमेव जयते
27/04/2021

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

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TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

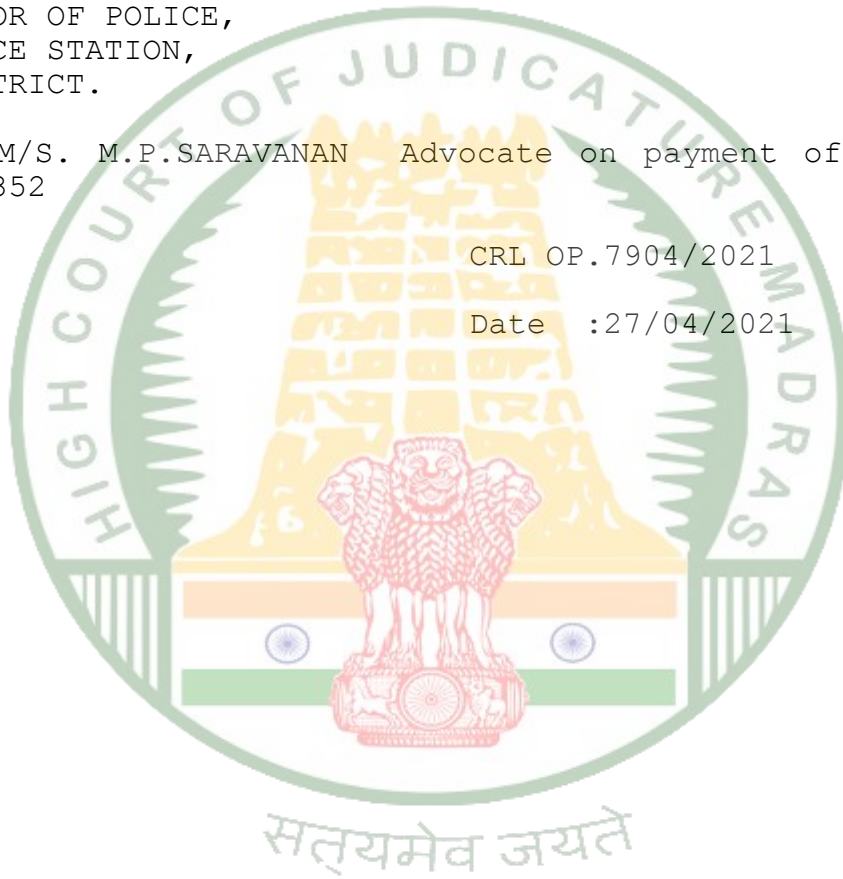
4 THE INSPECTOR OF POLICE,
RAYAKOTTAI POLICE STATION,
KRISHNAGIRI DISTRICT.

+1CC to M/S. M.P.SARAVANAN Advocate on payment of necessary
charges SR.NO.5352

CRL OP.7904/2021

Date :27/04/2021

MK:31/05/2021



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