

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One
PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.7984 of 2021

1 ILAYAMATHI
2 PURATACHIMATHI
3 THILAGAM
4 EASHWARI
5 PONNI
6 MOUTHIBAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KALLAVI POLICE STATION,
KRISHNAGIRI DISTRICT
(CR.NO.60/2021)

[RESPONDENT]

For Petitioner : M/S.M.P.SARAVANAN 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 alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 427 and 506(ii) of IPC in Crime No.60 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that one Purachimani abused his brother's daughter for which the defacto complainant lodged a complaint against him. In vengeance to that the petitioners came to the defacto complainant's house and assaulted him with knife and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution. Hence, he sought for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that it is a case in counter and the counter case is registered in Crime No.60 of 2021. He further submitted that the injured has been discharged from the hospital.

5.Taking into consideration the facts and circumstances of the case and also the submission of the learned Government Advocate that the injured has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, 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 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 Court concerned 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

28/04/2021

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, KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
KALLAVI POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.P.SARAVANAN Advocate on payment of necessary charges Sr.5435

CRL OP.7984/2021

Date :28/04/2021

RVR 17/05/2021

WEB COPY