

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.06.2021

CORAM :

THE HON'BLE Mr.JUSTICE R.SUBRAMANIAN

Crl.O.P.No.8161 of 2021

1.Umamaheswari
2.Rajamanikam
3.Gnanampal
4.Dhandayuthapani
5.Vaithiyanathan
6.Chellababu
7.Bhagavathi Prabhu

.... Petitioners

Vs.

The State rep. By
The Inspector of Police,
Edappadi Police Station,
Salem District.
(Crime No.134 of 2021)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest pending investigation in Crime No.134 of 2021 on the file of the respondent.

For Petitioners : Mr.T.Muruganantham

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest pursuant to the First Information Report registered against them in Crime No.134 of 2021 at Edappadi Police Station under Sections 147, 148, 120(B), 294(b), 323, 324, 352, 386, 403, 452 and 506(ii) of IPC seek anticipatory bail.

2.A perusal of the First Information Report discloses that the alleged crimes stem out of a family dispute and the matrimonial proceedings are also pending.

3.In view of the same, I am of the considered opinion that the petitioners could be granted Anticipatory Bail with certain conditions. Hence, 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 resumption of regular court hearings at Edappadi, before the learned Judicial Magistrate, Edappadi, subject to the following conditions:

(a) 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;

(b) 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.

(c) the petitioners shall report 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 abscond, a fresh FIR can be registered under Section 229A IPC.

4. With the above directions, anticipatory bail is granted and this Criminal Original Petition is ordered.

-sd/-

01/06/2021

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,
EDAPPADI

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
EDAPPADI POLICE STATION,
SALEM DISTRICT

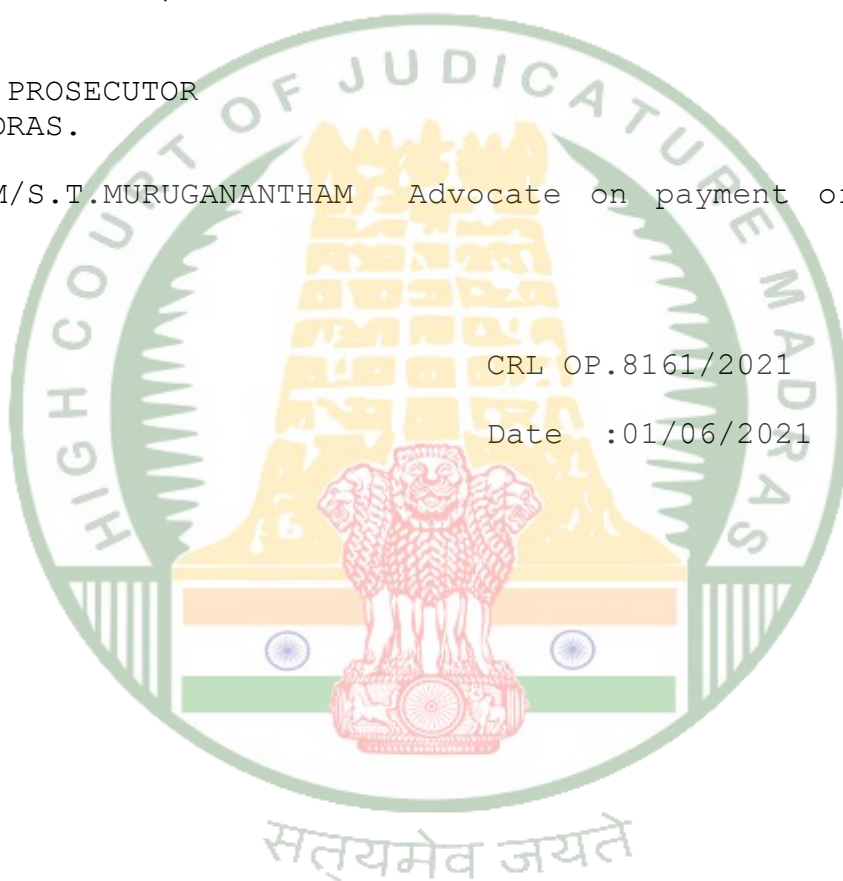
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary
charges

CRL OP.8161/2021

Date :01/06/2021

RVR 06/07/2021



WEB COPY