



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

Thursday, the Twelfth day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.13987 of 2021

1 THIRUNAVUKKARASU @ MARUTHAI [PETITIONERS / ACCUSED]
2 ANNAMALAI
3 NACHAIYA @ NACHAY
4 RAJAKUMARI
5 AMBIKA
6 MANVAZHI @ MANVIZHI
7 BALAJI
8 ANANTHARAJ

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
MANGALAMEDU POLICE STATION,
PERAMBALUR DISTRICT
(CR.NO.763/2021)

For Petitioner : M/S.T.DHARANI Advocate

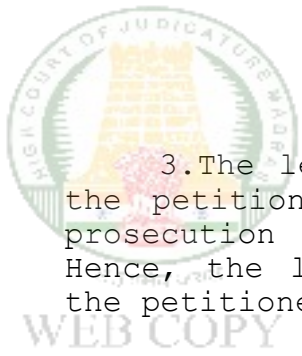
For Respondent : Mr.C.E.Pratap Government Advocate (Crl. Side)

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 offences under Sections 147, 294(b), 323, 324, 342, 506(ii) and 307 of I.P.C., r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.763 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a Land Dispute prevailing over the petitioners and the de-facto complainant. Due to the partition dispute, on 28.07.2021 at about 5.30 p.m. the petitioners attacked the defacto complainant with deadly weapons like iron pipe and knife. As a result, the defacto complainant had sustained serious injuries. Hence, the complaint.



3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the injured has been discharged from the hospital, and there is no previous case pending as against the petitioners. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Considering the fact that the injured has been discharged from the hospital and there is no previous case pending as against the petitioners, 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 Additional Mahila Judge, Perambalur, on condition that the petitioners shall execute a 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., until further orders;

(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.

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-sd/-

12/08/2021

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 ADDITIONAL MAHILA JUDGE,
PERAMBALUR

2 THE ADDITIONAL MAHILA COURT,
PERAMBALUR

3 THE INSPECTOR OF POLICE,
MANGALAMEDU POLICE STATION,
PERAMBALUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.DHARANI Advocate on payment of necessary charges
SR.8497

CRL OP.13987/2021

Date :12/08/2021

RVR 23/08/2021