



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14321 of 2021

1 SUBRAMANI
2 RAM KUMAR
3 SARASWATHI
4 PREMA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
C2-OLAKKUR POLICE STATION,
VILLIPURAM, TINDIVANAM.
(CR NO.397/2021)

[RESPONDENT]

For Petitioner : M/S.M.RAMESH BABU Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners, who apprehend arrest for an alleged offence under Sections 448, 294(b), 323, 324, 355, 506(ii) IPC r/w 4 of Tamil Nadu Prohibition of Harassment of Woman Act 2002 in Crime No.397 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a matrimonial dispute between the defacto complainant's son and her daughter-in-law/4th petitioner viz., Prema, on account of which, these petitioners who are the relatives of the 4th petitioner abused the defacto complainant in a filthy language and assaulted them with chappals and kicked her husband with legs and stabbed her with knife and threatened them with dire consequences. Hence the law enforcing agency registered a case against these petitioners.

3.The learned counsel appearing for the petitioners submits that these petitioners are in no way connected with the offence as alleged by the prosecution and that they have been falsely implicated in the case. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate appearing for the respondent submits that there was a matrimonial dispute between the defacto complainant's son and her daughter-in-law/4th petitioner viz., Prema, on account of which, the petitioners who are the relatives of the 4th petitioner have abused and attacked the defacto complainant with filthy language and threatened them with dire consequences. Hence, he vehemently opposed for grant of bail to these petitioners.

5. Considered the facts and circumstances and the submissions made on either side, this Court is inclined to grant anticipatory bail to these petitioners subject to the following conditions:

7. Accordingly, these 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 Court, Tindivanam* on condition that each of the petitioners shall execute a separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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.

WEB COPY

-sd/-
16/08/2021

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 JUDICIAL MAGISTRATE,
TINDIVANAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
C2-OLAKKUR POLICE STATION,
VILLIPURAM, TINDIVANAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.RAMESH BABU Advocate on payment of necessary charges SR NO.8560

CRL OP.14321/2021

Date :16/08/2021

CSK 31/08/2021