



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

Thursday, the Sixteenth day of September Two Thousand Twenty One

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PRESENT

The Hon'ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16347 of 2021

1 LAKSHMANAN
2 CHANDRALEKA
3 RAJANEHRU

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
MEENSURUTTY POLICE STATION,
ARIYALUR DISTRICT.
CR NO.458/2021

[RESPONDENT]

For Petitioner : M/S.D.DAYALAN Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

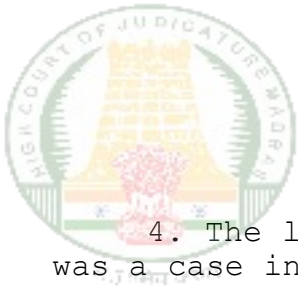
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence punishable under Sections 294(b), 324, 506(ii) of IPC 1860 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Crime No.458 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant regarding dispute over the pathway. In this connection, the petitioners have abused the defacto complainant and caused hurt to the defacto complainant's husband on his shoulder by using wooden log and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that there was a case in counter in Crime No.457 of 2021. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) submits that there was a case in counter.

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5.Considering the facts and circumstances of the case and also considering the submissions on either side and also the fact that there was a case in counter, 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 No.II, Jayamkondam on condition that each of the petitioners shall execute 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 1st and 3rd 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 and the 2nd petitioner shall report before the respondent police as and when required;

(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/-
16/09/2021

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,
JAYAMKONDAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
ARIYALUR DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
MEENSURUTTY POLICE STATION,
ARIYALUR DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.D.DAYALAN Advocate on payment of necessary charges
SR.NO.10179

CRL OP.16347/2021

Date :16/09/2021

INBA 23/09/2021