



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18525 of 2021

B.SUGUNA

...PETITIONER

Vs

State Rep.by
The Inspector of Police,
Thimiri Police Station,
Ranipet District
(Crime No.283/2021)

...RESPONDENT

For Petitioner : M/S K.KESAVAN Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

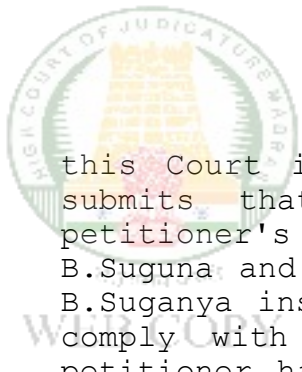
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 147, 294(b), 379, 323, 324 and 506(ii) of IPC r/w Section 4 of Women Harassment Act in Crime No.283 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the due to the death of the defacto complainant's son, there was a wordy quarrel between the petitioner's family and the defacto complainant regarding enquiry conducted on the basis of CCTV footage. Due to which, the petitioner along with other accused abused the defacto complainant and his wife in filthy language and assaulted him with wooden logs and also threatened them with dire consequences. Thereby, the defacto complainant had sustained grievous injuries.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that the co-accused were already enlarged on bail by



this Court in Crl.OP.No.10084 of 2021 dated 11.06.2021. He further submits that in the above said Crl.OP.No.10084 of 2021, the petitioner's name was wrongly mentioned as B.Suganya instead of B.Suguna and in the order also, name of the petitioner was shown as B.Suganya instead of B.Suguna. Hence, the petitioner was not able to comply with the conditions imposed in the said order. Now, the petitioner has filed the present anticipatory bail petition. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that on instructions, the injured has been discharged from the hospital.

5.Considering the submissions made by both counsel and also the fact that the injured has been discharged from the hospital and the co-accused were already enlarged on bail, this court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest, or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate -I, Wallajapet on condition that the petitioner 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 petitioner 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 petitioner shall report before the respondent police daily as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 petitioner 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/-

04/10/2021

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.I, WALLAJAPET

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
THIMIRI POLICE STATION,
RANIPET DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S K.KESAVAN Advocate on payment of necessary charges
SR.No.11005

CRL OP.18525/2021

Date :04/10/2021

APN 12/10/2021