



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17754 of 2021

1 T.UDHAYARANI
2 RAVIVALLUVAN
3 JAYAPRAKASH

[PETITIONERS / ACCUSED]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
KILPAUK POLICE STATION,
CHENNAI.
CRIME NO. 409 OF 2021

[RESPONDENT]

For Petitioner : M/S. S.ANBURAJA 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 petitioners who apprehend arrest for the alleged offence under Sections 294(b), 323 and 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment Women Act in Cr.No.409 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Secretary of an apartment and the petitioners A1 and A2 are residing in the same apartment. Due to some dispute in car parking, there arose a wordy quarrel between the petitioners and the defacto complainant. Thereafter, the petitioners attacked the defacto complainant and she sustained some injuries. Hence, the defacto complainant lodged a complaint against the petitioners, based on which the Law Enforcing Agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and the defacto complainant had sustained only simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) submits that injured person has been treated as outpatient and discharged from the hospital.

5. Considering the fact that the injured person has been discharged from the hospital and had sustained only simple injuries, 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 Metropolitan Magistrate No.II, Egmore, Chennai, on condition that the petitioners shall execute a bond 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.

-sd/-

24/09/2021

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 METROPOLITAN MAGISTRATE,
NO.II, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KILPAUK POLICE STATION,
CHENNAI.

+1 CC to M/S. S.ANBURAJA Advocate on payment of necessary charges SR.NO.10587

CRL OP.17754/2021

Date :24/09/2021

RW 01/10/2021