



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.18452 of 2021

1.KUMAR [PETITIONERS]  
2.VANITHA  
3.SATHISH  
4.SHAKILA @ SAKILA  
5.GOMATHI  
6.PANDIYAN  
7.GNANAM  
8.MUTHU  
9.SELVI  
10.MYTHILI  
11.VELANKANNI  
12.GOWTHAM  
13.KAUSALYA @ KAMINI  
14.VICTOR @ AMULRAJ  
15.IMMAKULATE  
16.ANTHONY  
17.JAYAMARY  
18.SUNDARRAJ  
19.SUMATHI

Vs

THE STATE REP BY [RESPONDENT]  
THE INSPECTOR OF POLICE,  
SADRAS POLICE STATION,  
CHENGALPATTU DISTRICT.  
(CRIME NO.344 OF 2021)

For Petitioner : M/S.A.M.ESAKKIAPPAN Advocate

For Respondent : MR.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 petitioners, who apprehend arrest for the alleged offence punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.344 of 2021 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours and on account of previous enmity, the petitioners scolded the defacto complainant in filthy language and assaulted them with deadly weapons and also caused injuries to them. 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. Hence, he prays for grant of anticipatory bail to the petitioners.

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

5. Considering the fact that the injured has been discharged from the hospital, 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 District Munsif-Cum-Judicial Magistrate, Thirukalukundram* 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 1<sup>st</sup>, 3<sup>rd</sup>, 6<sup>th</sup> 7<sup>th</sup>, 8<sup>th</sup>, 12<sup>th</sup> 14<sup>th</sup> 16<sup>th</sup> and 18<sup>th</sup> 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 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup> 10<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup>, 15<sup>th</sup> 17<sup>th</sup> and 19<sup>th</sup> petitioners shall report before the respondent police 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/-  
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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
THIRUKALUKUNDRAM.

2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
SADRAS POLICE STATION,  
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.A.M.ESAKKIAPPAN Advocate on payment of necessary  
charges SR.NO.11021

CRL OP.18452/2021

Date :04/10/2021

CSK 12/10/2021