



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

Tuesday, the Fifth day of October Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.18545 of 2021

1 KRISHNAVENI
2 MAHALAXMI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
ELAVANASURKOTTAI POLICE STATION,
VILLUPURAM.
CR.NO.343 OF 2021.

[RESPONDENT]

For Petitioner : M/S.V.CHELLAMMAL 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 at the hands of the respondent police for the alleged offences punishable under Section 147,148,294(b),323,324,506(ii) of IPC in Crime No.343 of 2021 seek anticipatory bail.

2. Totally there were seven accused in this case and the petitioner herein are A1 and A2 in this case. The case of the prosecution is that the defacto complainant and the petitioners are neighbours and due to previous enmity the petitioner attacked the defacto complainant and caused eye injuries to him. Hence, the law enforcing agency registered a case against the petitioners.

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 the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that the injured discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail to the petitioners.



5. Considering the facts and circumstances of the case and the injured was discharged, this Court is inclined to grant anticipatory bail to the petitioners.

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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, Ulundurpet on condition that each of the petitioners shall execute a separate 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 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/-

05/10/2021

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,
ULUNDURPET.

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

3 THE INSPECTOR OF POLICE,
ELAVANASURKOTTAI POLICE STATION,
VILLUPURAM.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.V.CHELLAMMAL Advocate on payment of necessary
charges SR.NO.11086

CRL OP.18545/2021

Date :05/10/2021

INBA-20/10/2021