



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

Tuesday, the Fifth day of October Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.18558 of 2021

1 V.KANNAN
2 K.LAKSHMI
3 P.BHAVANI SUNDARI YEGANATHAN

[PETITIONERS / ACCUSED]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
THIRUVERKADU POLICE STATION,
THIRUVALLUR DISTRICT.
CRIME.NO.NOT KNOWN OF 2021

[RESPONDENT]

For Petitioner : M/S. N .R.ANANTHA RAMA KRISHNA Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)
[IN CRL.OP.NO.18558/2021]

: MR. S.BALAJI, Govt. Advocate (Crl. Side)
[IN CRL.MP.NO.12431/2021]

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 **(*)294(b), 323, 324, and 506(ii)** of IPC in Crime No.1386 of 2021 seek anticipatory bail.

2. The case of the prosecution is that there was a civil dispute pending between the petitioners and the defacto complainant, due to which the petitioners abused and attacked the defacto complainant. 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 was treated as out patient. 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 treated as out patient, 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 at Poonamalee** 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 first petitioner shall report before the respondent police daily at 10:30 a.m for a period of two weeks and thereafter shall report before the respondent police as and when required for interrogation; the second and third petitioners are required to 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.

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-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.

[*]Amended as per order of this court dated 30.11.2021 made in Crl.MP.NO.12431/2021 in Crl.O.P.No. 18558/2021

TO

**(*)1 THE JUDICIAL MAGISTRATE,
NO.II, POONAMALEE.**

2 THE JUDICIAL MAGISTRATE,
POONAMALEE.

3 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVALLUR DISTRICT (FOR INFORMATION).

4 THE INSPECTOR OF POLICE,
THIRUVERKADU POLICE STATION,
TIRUVALLUR DISTRICT.

5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. N .R.ANANTHA RAMA KRISHNA Advocate on payment of necessary charges SR.NO.13777

CRL OP.18558/2021

Date :05/10/2021

INBA-18/10/2021

RW 09/12/2021