



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18822 of 2021

1 KALAIYARASI

[PETITIONER / ACCUSED]

2 DAVIT@BABU

Vs

THE STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
SRIPERUMBUDUR POLICE STATION,
KANCHEEPURAM DISTRICT
CR NO.1205/2021

For Petitioner : M/S.S.MICHAEL Advocate

For Respondent : M/S. A.GOPINATH, 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 offences Under Sections 294(b), 324 & 506(ii) of IPC, in Crime No.1205 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner is an anganwadi employee was loading the medicine into the syringe and the same was questioned by the defacto complainant. Thereby dispute arose between them and they attacked each other. Hence the complaint was registered by the Law Enforcing Agency against the petitioners.

3. The learned counsel appearing for the petitioner submits that the petitioners did not commit 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. He further submits that case in counter was registered against the defacto complainant. Hence he prays for grant of anticipatory bail to the petitioners.



4. Learned Government Advocate (Crl. Side) submits that there are no previous cases pending against the petitioners. However, he vehemently opposed grant of anticipatory bail to the petitioners.

5. Considering the fact and circumstances of the case and also considering that the first petitioner is an anganwadi worker and the second petitioner is the husband of the first petitioner, 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 at Sriperumbudur 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 petitioners and the sureties shall affix his 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.

WEB COPY

-sd/-

07/10/2021

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,
SRIPERUMBUDUR

2 THE CHIEF JUDICIAL MAGISTRATE
KANCHEEPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
SRIPERUMBUDUR POLICE STATION,
KANCHEEPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.S.MICHAEL Advocate on payment of necessary charges
SR.No.11126

CRL OP.18822/2021

Date :07/10/2021

APN 25/10/2021