



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19062 of 2021

1 VEERA @ VEERA KUMAR RAMASAMY
2 RAMASAMY

[PETITIONERS / ACCUSED]

(*) 3 AMIRTHAM @ REVATHY

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR - 641 664.
CRIME NO.1688 OF 2021.

[RESPONDENT]

For Petitioners : M/S.KINGLSY SOLOMON J, Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)
(Crl.O.P.NO.19062/2021)

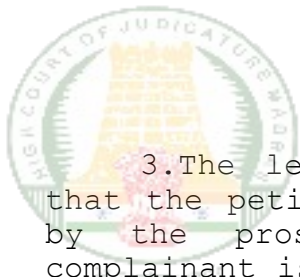
For Respondent : MR.S.BALAJI, Govt. Advocate (Crl. Side)
(Crl.M.P.No.12057/2021 in Crl.O.P.NO.19062/2021)

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, 324, 355 and 506(ii) of IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 1998 in Cr.No.1688 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to dispute regarding playing cricket, there arose a wordy quarrel between the petitioners and the de-facto complainant and the petitioners abused the de-facto complainant in filthy language and attacked her using hands and harassed her. Hence, the Law Enforcing Agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submitted that the petitioners have not been committed any offence as alleged by the prosecution. He further submitted that the de-facto complainant is the one who harassed the third petitioner using filthy language and when the same was questioned by the petitioners, there arose a scuffle and the de-facto 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 the injured person has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

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 Judicial Magistrate, Palladam, 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/-
08/10/2021

WEB COPY

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 the order of this court dated 24/11/2021 made in CRL MP.12057/2021 in CRL OP.19062/2021.

TO

1 THE JUDICIAL MAGISTRATE,
PALLADAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPUR DISTRICT - 641664.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.KINGLSY SOLOMON J Advocate on payment of necessary charges SR.NO.13463

CRL OP.19062/2021

Date :08/10/2021

JPA 25/10/2021

TA-10/12/2021