



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

Tuesday, the Twelfth day of October Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19373 of 2021

1 B.PRIYA
2 POOVIZHI
3 PONMOZHI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
E-1, SINGANALLUR POLICE STATION,
COIMBATORE DISTRICT.
CR.NO.787 OF 2021.

[RESPONDENT]

For Petitioner : M/S. K.BALASUBRAMANIAM Advocate

For Respondent : MR. L.BASKARAN, 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 offence under Sections 294(b), 323, 324 and 506(ii) of I.P.C in Crime No.787 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the A1 and the defacto complainant are residing in the very same street. The defacto complainant is alleged to have advised the husband of the first petitioner herein, who was then riding a two wheeler to allow the child sit on the pillion, thereby, there is said to have been some altercations between the parties. A1 is the husband of the first petitioner, who had assaulted the defacto complainant. The 2nd petitioner is the sister in law of the 1st petitioner and the 3rd petitioner is the mother in law of the 1st petitioner. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He would further state that the main accused in this case



A1 has already been enlarged on bail by the learned Judicial Magistrate, Coimbatore. Hence, the learned counsel prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that A1 is the husband of the first petitioner, the second petitioner is the sister-in-law of the first petitioner and the third petitioner is the mother-in-law of the first petitioner. The learned counsel for the petitioner submitted that A1 has already been granted bail by the learned Judicial Magistrate-III, Coimbatore in Crl.M.P.No.20817 of 2021 and that the victim has been discharged from the hospital. However, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5.Considering the fact that A1 has already been granted bail by the learned Judicial Magistrate No.III, Coimbatore in Crl.M.P.No.20817 of 2021 and also the fact that the victim 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Coimbatore 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 as and when summoned by the Investigating Officer;

(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/-
12/10/2021

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,
COIMBATORE.

2 THE JUDICIAL MAGISTRATE NO.III
COIMBATORE.

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

4 THE INSPECTOR OF POLICE,
E-1, SINGANALLUR POLICE STATION,
COIMBATORE DISTRICT.

5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. K.BALASUBRAMANIAM Advocate on payment of necessary charges SR.NO.11426

CRL OP.19373/2021

Date :12/10/2021

INBA-18/10/2021