



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19491 of 2021

1 GOVINDARAJ
2 REVATHI
3 MUNUSAMY
4 MUNIYAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NANGAVALLI POLICE STATION,
SALEM DISTRICT.
CRIME NO.318 OF 2021.

[RESPONDENT]

For Petitioner : M/S.M.MARIAPPAN Advocate

For Respondent : M/S.L.BASKARAN, Government 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 punishable u/s. 294(b), 323, 324 and 506(2) of IPC in Crime No.318 of 2021 seek anticipatory bail.

2.The case of the prosecution is that the petitioners are alleged to have hit the defacto complainant, the mother of the 1st petitioner with hand thereby causing injuries. Hence the complaint.

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. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners have attacked the defacto complainant, who is the mother of the 1st petitioner and caused injuries to her. He further submits that the injured has been discharged from the hospital. However, he opposed for the grant of 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Mettur on condition that the petitioner 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 petitioner 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 1st, 3rd and 4th petitioner shall report before the respondent daily at 10:30 a.m for a period of two weeks and thereafter as and when required for interrogation. The 2nd petitioner shall report before the Investigating Officer as and when summoned 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 petitioner 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/-

12/10/2021

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, METTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NANGAVALLI POLICE STATION,
SALEM DISTRICT.

+1 CC to M/S.M.MARIAPPAN Advocate on payment of necessary charges SR.NO.11418

CRL OP.19491/2021

Date :12/10/2021

RW 18/10/2021