



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Ninth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20421 of 2021

1 T.BALACHANDRAN [PETITIONERS / ACCUSED]
2 K.CHELLAMUTHU
3 T.RATHINASAMY
4 P.THIRUMALAISAMY

Vs

THE STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALANGIYAM POLICE STATION,
TIRUPPUR DISTRICT.
CRIME NO.599/2021

For Petitioner : M/S.N.STALIN Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)
(DATED 29/10/2021)

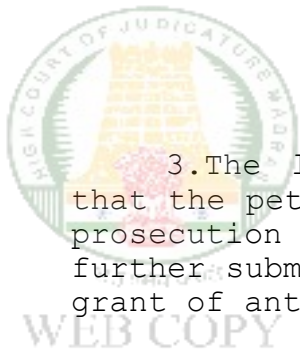
M/S.S.BALAJI, Govt. Advocate (Crl. Side)
(DATED 26/11/2021)

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 offence under Sections 147, 148, 427, 323, 324 & 506(ii) of I.P.C (*) and **Section 4 of Tamilnadu Prohibition of Harassment of Women Act 2002** in Cr.No.599 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute between the De-facto Complainant and the petitioners with regard to fencing of compound wall due to which a wordy quarrel arose between the parties thereby the petitioners attacked the De-facto Complainant and the De-facto complainant had suffered injuries. Hence the complaint.



3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that there is a case in counter. Hence he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that the investigation is pending in this case and that the injured has been discharged for the hospital.

5. Considering the facts and circumstances of the case 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 granted anticipatory bail and they 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, Dharapuram, 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)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)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;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)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;



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

29/10/2021

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.

(*) BEING MENTIONED ORDERED AS PER ORDER OF THIS COURT DATED 26/11/2021

TO

1 THE JUDICIAL MAGISTRATE,
DHARAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALANGIYAM POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.STALIN Advocate on payment of necessary charges
SR.No.13749

CRL OP.20421/2021

Date :29/10/2021

APN 10/11/2021

RVR 10/12/2021