



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.21416 of 2021

1. Nishanthi
2. Sunitha

... Petitioners

Versus

State Rep by
The Inspector of Police,
Thiruvanmiyur Police Station,
Chennai District
(Crime No.807 of 2021)

... Respondent

Prayer:-Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioners on bail in the event of their arrest in Crime No.807 of 2021 pending investigation on the file of the respondent police.

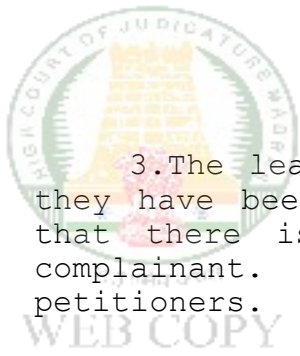
For Petitioners : Mr. Ilayaraja Kandasamy

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioners who apprehend arrest for the alleged offence under Sections 294(b), 324 and 506(2) of IPC in Cr.No.807 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that petitioners had a matrimonial dispute with the defacto complainant and his son due to which quarrel occurred between them in which the petitioners assaulted the defacto complainant. Hence, the defacto complainant sustained injuries. Thereby, the law enforcing agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submit that they have been falsely implicated in this case. He further submits that there is a case in counter registered against the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submits that the injured has been discharged from the hospital.

5. Considering the fact that the injured person has been discharged from the hospital, this Court 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 No.XVIII, Saidapet 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 appear before the respondent police 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 anticipatory 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/-
15/11/2021

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,
NO.XVIII, SAIDAPET.

2 THE CHIEF JUDICIAL MAGISTRATE
EGMORE, CHENNAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
THIRUVANMIYUR POLICE STATION,
CHENNAIDISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.ASHVATHAMAN Advocate on payment of necessary charges SR.NO.12940

CRL OP.21416/2021

Date :15/11/2021

JPA 19/11/2021