



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eleventh day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21191 of 2021

1 ARUMUGAM [PETITIONERS / ACCUSED]
2 MALARVIZHI
3 PRIYA
4 SULOCHANA

Vs

THE STATE REP BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
NEMILI POLICE STATION,
RANIPET DISTRICT.
CR.NO.354/2021.

For Petitioner : M/S.D.DAYALAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Counsel for Govt.Public Prosecutor

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 147, 294(b), 323, 352, 420 and 506(ii) of the Indian Penal Code, 1860 in Cr.No.354 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner/A-1 borrowed an amount of Rs.4,49,000/- from the defacto complainant and thereafter, the defacto complainant refused to repay the amount and also the petitioner/A-1 along with other petitioners, who were their close relatives threatened the defaco complainant and there arose wordy quarrel between them. Hence, the defacto complainant lodged a complaint against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. He further submits that no one sustained injuries in the said quarrel. Hence, Learned counsel prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate submits that for recovery of the money, there was dispute between the petitioners and the defacto complainant and there are no previous cases pending against the petitioners. However, he opposed for granting anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and that there was money dispute between the petitioners and the defacto complainant and that there are no previous cases pending against the petitioners, 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, Arakkonam**, 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 on every Friday at 10.30 a.m. for a period of four 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/-

11/11/2021

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,
ARAKKONAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NEMILI POLICE STATION,
RANIPET DISTRICT.

+1 CC to M/S.D.DAYALAN Advocate on payment of necessary charges
SR.NO.12626

CRL OP.21191/2021

Date :11/11/2021

TA-17/11/2021