



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21287 of 2021

1 SELVARANI

[PETITIONERS / ACCUSED]

2 LAKSHMI

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
MOHANUR POLICE STATION,
NAMAKKAL DISTRICT.
(CRIME NO.675/2021)

For Petitioner : M/S W.CAMYLES GANDHI Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323 & 506(ii) of IPC r/w. Section 4 of TNPWH Act and 3(1) of TNPPDL Act, in Crime No.675 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and their relative having deadly weapon in their hands came to the defacto complainant's house and scolded the defacto complainant with filthy language and the petitioners damaged the house and house articles of the defacto complainant and on 20.10.2021 the defacto complainant lodged the complaint. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are an innocent persons 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 submitted that the case in counter. However, he vehemently opposed to grant anticipatory bail to the petitioners.



5. Considering the facts and circumstances of the case and the fact, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners is 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.II, Namakkal*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) 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 daily at 10.30 a.m for a period of two 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/-
12/11/2021

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.



1 THE JUDICIAL MAGISTRATE-II,
NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MOHANUR POLICE STATION,
NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.NO.12711

CRL OP.21287/2021

Date :12/11/2021

CSK 17/11/2021