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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21617 of 2021

1. Somu .. Petitioners
2. Manikandan
3. Suman
4. Sumitha

Vs.

State Rep by ... Respondent
The Sub Inspector of Police,
Harithuvaramangalam Police Station,
Tiruvarur District.
(Crime No.488 of 2021)

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their
arrest in Crime No.488 of 2021 on the file of the respondent -The
Inspector of Police, Harithuvaramangalam Police Station, Tiruvarur
District.

For Petitioners : Mr.N.Palanivel

For Respondent : Mr.N.S.Suganthan
Government Advocate (Cr1.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence
under Sections 294(b), 323 and 506(i) of IPC in Cr.No.488 of 2021 on
the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the
defacto complainant are close relatives. There was a wordy between the
petitioners and the defacto complainant regarding family dispute, due
to which, the petitioners abused the defacto complainant in filthy
language, assaulted her and threatened her with dire consequences and
also caused injuries to her Hence, the complaint.



3.The learned counsel appearing for the petitioners submits that the petitioners have not been committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) submits that no one sustained any injury. He further submits that there are no previous cases as against the petitioners.

5. Considering the submissions made by both counsel and also considering the fact that no one sustained any injury and there are no previous cases as 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 District Munsif-Cum-Judicial Magistrate, Needamangalam on condition that each of the petitioners shall execute separate bonds 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 2nd, 3rd and 4th petitioners shall report before the respondent police on every Wednesday at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation and the 1st petitioner being a Senior Citizen shall report before the respondent police as and 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.

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18/11/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
NEEDAMANGALAM

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
HARITHUVARAMANGALAM POLICE STATION,
TIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. N.PALANIVEL Advocate on payment of necessary charges SR.No.12964

CRL OP.21617/2021

Date :18/11/2021

APN 23/11/2021