



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM:

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

CrI.O.P.No.21722 of 2021

WEB COPY

1. Vijaya @ Vijayalakshmi
2. Ammu
3. Ayyappan

... Petitioners

Vs.

State rep. By its
Inspector of Police,
C-1 Uthukottai Police Station,
Thiruvallur District.
(Crime No.591 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to grant an Anticipatory Bail to these petitioners in the event of arrest or on their appearance before any court in connection with the case in Crime No.591 of 2021 pending investigation on the file of respondent police.

For petitioner : Mr.M.Guruprasad

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 448, 323 and 506(ii) of IPC, in Crime No.591 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the money dispute between the petitioners and the defacto complainant and caused damages to the household properties and threatened the defacto complainant dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Accordingly, he prays for anticipatory bail to the petitioners.



4. The learned Government Advocate would submit that there is no injury and investigation is almost completed.

5. Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, these petitioners are ordered to be released on anticipatory bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate Court, Uthukottai, and on further conditions that:-

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police every Wednesday 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/-

19/11/2021

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 COURT,
UTHUKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
C-1, UTHUKOTTAI POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. M.GURUPRASAD Advocate on payment of necessary
charges Sr.13085

CRL OP.21722/2021

Date :19/11/2021

RVR 22/11/2021