



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

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

Cr1.O.P.No.22144 of 2021

1.S.Venkatesan
2.A.Prabhakaran
3.P.Lalitha
4.Latha @ G.Hemalatha
5.Meena @ S.Meenakshi

...Petitioners

Vs

The State, rep. by its
The Inspector of Police,
Pattabiram Police Station,
Chennai- 600072
Crime No.1429/2021

... Respondent

Prayer: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioners on Anticipatory bail in Crime No.1429 of 2021 on the file of the respondent police.

For Petitioners: Mr.J.Prakasam

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

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest for the alleged offence punishable under Sections 147, 448, 294(b), 323, 427 and 506(2) of IPC, in Crime No.1429 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of the elder brother of the 1st petitioner herein. Due to civil dispute, the petitioners along with other accused abused and attacked the defacto complainant and her family members. Hence, the complaint.



3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and they had been falsely implicated in this case. He would further submit that there is a case in counter in Crime No.1428 of 2021 he prays and he would pray for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that injured was treated as out patient and the investigation is almost completed. However, he would oppose for grant of bail to the petitioners.

5.Considering the facts and circumstances of the case and the fact that the dispute is civil in nature and the investigation is almost completed, 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 Judicial Magistrate-II, Thiruvallur, on condition that the petitioners shall execute separate bonds 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 his 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 1 and 2 shall report before the respondent police on every Saturday at 10.30 a.m, until further orders.

The petitioners 3 to 5 shall report 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 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.

WEB COPY

-sd/-

24/11/2021

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.II, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PATTABIRAM POLICE STATION,
CHENNAI-600 072.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.PRAKASAM Advocate on payment of necessary charges
SR.NO.13374

CRL OP.22144/2021

Date :24/11/2021

RW 01/12/2021