



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.22632 of 2021

1.T.V.Kumar
2.Veeramani
3.Bakkiyalakshmi

...Petitioners

Versus

State by
The Inspector of Police,
E-1, Ponneri Police Station,
Thiruvallur District.
(Crime No.577 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to grant anticipatory bail to the petitioners in the event of arrest by the respondent in Crime No.577 of 2021 on the file of the respondent.

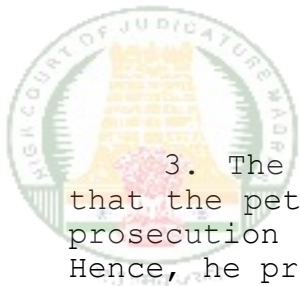
For Petitioners : Mr.V.Parthiban

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

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b) and 506(i) of IPC in Crime No.577 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the third petitioner has taken rent to run a medical shop from Murali in the year 2002. As on date the third petitioner has paid an advance of Rs.50,000/- and a monthly rent of Rs.4000/-. The second petitioner used to come and attend the customers. The said Murali in the first week of October 2021 demanded a sum of Rs.3,00,000/- towards further advance and Rs.10,000/- as rent. While so the complainant with his relative came to the medical shop on 20.10.2021 and abused the second petitioner and pushed him out and threatened for dare consequences. Later the said complainant put an additional lock in the doors of the shop. Hence this case.



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

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the defacto complainant already arrested and released on bail in another crime number, the case in counter and the investigation almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the **learned Judicial Magistrate No.1, Ponneri**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate 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 Saturday at 10.30 a.m., until further orders;

(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/-
30/11/2021

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.1, PONNERI, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
E-1, PONNERI POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S. V.PARTHIBAN Advocate on payment of necessary charges SR.NO.13682

CRL OP.22632/2021

Date :30/11/2021

TA-07/12/2021