



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM

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

Cr1.O.P.No.23017 of 2021

1.R.Murugan
2 Chitra alias Jeyachitra
3.Manimegalai

... Petitioners

Vs.

State Rep. By
The Inspector of Police,
Avinankudi Police Station,
Cuddalore District.
Cr.No.227 of 2021.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to grant anticipatory bail to the petitioners in the event of arrest in crime No.227 of 2021 on the file of the Inspector of Police, Avinankudi Police Station, Cuddalore.

For Petitioners : Mr.R.Venkatesan

For Intervenors : Mr.J.Pradeep

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 324, 355, 506 (2), 379 of IPC and Section 4 of TNWH Act in Crime No.227 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute between the petitioners and the defacto complainant regarding property selling. Due to which, the petitioners have abused the defacto complainant and also assaulted the defacto complainant and her mother in law and snatched her earrings and also humiliated the defacto complainant's husband by stating his disability. Hence, the complaint.



3. The learned counsel for the petitioners submits that the defacto complainant throne the wastages inside the house of the petitioners. While so, a false complaint with concocted story of snatching the gold ring from the ear, causing nuisance, criminal intimidation and degradation of differently abled person etc without any iota of truth. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned counsel for the Intervenor submits that the petitioners humiliated the defacto complainant's husband by stating his disability. Hence, he vehemently opposed for granting anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.side) raising objection by stating that petitioners humiliated the defacto complainant by pointed out her husband's dis-ability. He further submits that investigation is almost completed.

6. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and also the fact that the investigation was almost completed, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

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 Judicial Magistrate, Thittakudi, 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 Magistrate / Trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first and second petitioners shall report before the respondent police on every Tuesday and Sunday at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation and third petitioner being a senior citizen 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.

-sd/-

03/12/2021

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,
THITTAKUDI, CUDDALORE DISTRICT.

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

3 THE INSPECTOR OF POLICE,
AVINANKUDI POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.VENKATESAN Advocate on payment of necessary charges SR.NO.14064

CRL OP.23017/2021

Date :03/12/2021

RW 10/12/2021