



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23263 of 2021

1.Ranjitha
2.Ilayaraja
3.Saraswathi
4.Ananth

... Petitioners

Versus

State represented by
The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
(Crime No.670 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in Crime No.670 of 2021 pending investigation on the file of the respondent police.

For Petitioners: Mr.C.S.Saravanan

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

O R D E R

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 324 and 506(ii) of IPC in Crime No.670 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a part time labourer for opening the water pipe, while so on 05.10.2021 one Saravanan had laid out drinking water pipe and the cost was shared by all the area people and the 1st petitioner is alleged to have not shared the money. While so on 06.10.2021 in the night when the defacto complainant was standing in front of his house at that time the petitioners came there and alleged to have abused the defacto complainant in filthy language and took a rod and assaulted the defacto complainant due to which he suffered injuries in his forehead and others came for rescue and the petitioners had



threatened the defacto complainant and went away. The defacto complainant was admitted to Tiruppur Government Hospital. Hence the complaint.

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 case in counter and victim discharged and 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, Palladam, 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 2nd and 4th petitioners shall report before the respondent police on every Sunday at 10.30 a.m., until further orders and the 1st and 3rd petitioners shall report before the respondent police as and when requires 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/-
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,
PALLADAM, TIRUPPUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
AVINASHIPALAYAM POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. C.S.SARAVANAN Advocate on payment of necessary charges SR.NO.14131

CRL OP.23263/2021

Date :03/12/2021

RW 08/12/2021