



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.Nos.25006 and 25014 of 2021

1. Ramya Devi
2. Chamundeeswari
3. Manjula Devi
4. Renuka
5. Shanthi

...Petitioners in Crl.O.P.No.25006 of 2021

1. Kuppan
2. Venkatesan
3. Bharani
4. Raghu
5. Sasikala

...Petitioners in Crl.O.P.No.25014 of 2021

Versus

The State Represented by
The Inspector of Police,
Kadambathur Police Station,
Kadambathur - 631203
Thiruvallur District.
(Crime No.365 of 2021)

...Respondent in both Crl.O.P's

Prayer:- Criminal Original Petitions filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioners on anticipatory bail in the event of apprehending arrest in the Cr.No.365 of 2021 on the file of the respondent police.

For Petitioners : M/S.J.Vasu

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioners in both Crl.O.P's, who apprehend arrest for the alleged offence under Section 147, 427, 294(b), 323, 324, 506(i) and Section 379 of IPC and Section 4 of the Prohibition of Harassment of Women Act, 2002 in Cr.No.365 of 2021 on the file of the respondent police, seek anticipatory bail.



2.The case of the prosecution in both Crl.O.P's is that the petitioners are neighbours and there was clash between the two groups in which both the petitioners and the defacto complainants sustained simple injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners in both Crl.O.P's submit that the petitioners have not been committed any offence as alleged by the prosecution and the defacto complainants have sustained only simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submits that there was group clash between two groups and the injured persons have been discharged from the hospital.

5. Considering the fact that there is a group clash between the two groups and that the injured have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners in both Crl.O.P's.

6.Accordingly, the petitioners in both Crl.O.P's 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 II, Thiruvallur on condition that the petitioners shall execute a bond 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 in both Crl.O.P's and the sureties shall affix their 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 in both Crl.O.P's shall appear before the respondent police as and when required for interrogation;

(c)the petitioners in both Crl.O.P's shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners in both Crl.O.P's 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/-
21/12/2021

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,
NO.II, THIRUVALLUR.

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

3 THE INSPECTOR OF POLICE,
KADAMBATHUR POLICE STATION,
KADAMBATHUR, TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.J.VASU Advocate on payment of necessary charges
SR.NOs. 15299 & 15300

CRL OP.25006 & 15014/2021

Date :21/12/2021

RW 29/12/2021