



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.12.2021

CORAM:

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

CrI.O.P.No.25253 of 2021

1.V.Maran

2.M.Rathika

... Petitioners

Vs.

State Represented by
The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri.
(Crime No.100 of 2021)

Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioner on bail in the event on their arrest in crime No.100 of 2021, on the file of the respondent police.

For petitioners : Mr.C.Palanisamy

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 324 and 506(ii) of IPC, in Crime No.100 of 2021, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that due to wordy quarrel, the petitioners abused the defacto complainant with filthy language and assaulted the defacto complainant with iron rod. Thereby, the defacto complainant sustained injuries and was admitted in hospital. On the basis of the complaint lodged by the defacto complainant, the respondent police registered a case against the petitioners.

4.The learned counsel for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. Hence, he seeks for grant of anticipatory bail to the petitioners.



5. The learned Government Advocate would submit that the injured has been discharged from the hospital and investigation is almost completed.

6. Taking into consideration the nature of offence and the submissions made by both the counsels and taking note of the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners on certain conditions.

7. 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 Court No. II, Dharmapuri, on condition that the petitioner 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the 1st petitioner shall report before the respondent police every Wednesday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation and the 2nd respondent shall before the respondent police as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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].



[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

23/12/2021

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, DHARMAPURI

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI (FOR INFORMTION)

3 INSPECTOR OF POLICE,
KRISHNAPURAM POLICE STATION,
DHARMAPURI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S C. PALANISAMY Advocate on payment of necessary charges

CRL OP.25253/2021

Date :23/12/2021

RVR 30/12/2021