



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.12.2021

CORAM :

THE HON'BLE MR. JUSTICE B. PUGALENDHI

Cr1.O.P.No.25454 of 2021

1.Senthil Murugan ... Petitioners
2.Muthu Lakshmi
3.Jaya Lakshmi

Vs.

The State Rep by Inspector of Police, ... Respondent
Sankarapuram Police Station,
Kallakurichi District.
(Crime No.905 of 2021)

PRAYER: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, 1973, praying to grant Anticipatory Bail to the petitioners in the event of arrest in Crime No.905 of 2021 by the Respondent Police.

For Petitioners : M/s.G.Ganapathy

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC r/w 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.905 of 2021, seek anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, the accused persons abused the de-facto complainant in filthy language and assaulted her and also criminally intimidated her.

3. The learned counsel for the petitioners submit that it is only a simple injury and also the victim has been discharged from the hospital. Hence, he prayed for grant of anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor also confirmed the submission made by the counsel for the petitioners.

5. Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioners and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the Criminal Original Petition is allowed. 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 No.I, Sankarapuram, on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police daily at 10.30 a.m. until further orders.

[c]the petitioners shall not tamper with the 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 are 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]**.

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

-sd/-

29/12/2021

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.1, SANKARAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SANKARAPURAM POLICE STATION,
KALLAKURICHI DISTRICT.

+1 CC to M/S G.GANAPATHY Advocate on payment of necessary
charges SR.NO.15696

CRL OP.25454/2021

Date :29/12/2021

TA-04/01/2022