



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2021

WEB COPY

CORAM:

THE HON'BLE MR. JUSTICE B.PUGALENDHI

Crl.O.P.No.25951 of 2021

1. Renuga ... Petitioners
2. Gowtham
3. Jayaseelan
4. Radhika
5. Kuttiyammal

Vs.

State, rep by ... Respondent
The Inspector of Police,
Kilkodungalur Police Station,
Thiruvannamalai District.
(Crime No.433 of 2021)

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of their arrest in connection with Crime No.433 of 2021 on the file of the respondent police.

For Petitioner : Mr.V.R.Appaswamee

For Respondent : Mr.L.A.J.Selvam
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323 and 506 (i) of IPC in Crime No.433 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours, due to wordy quarrel, the petitioners have assaulted the defacto complainant with wooden log and caused injuries.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in



this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submits that the investigation is yet to be completed. He further submits that the injured has been discharged from the hospital and there is no previous case against 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, Vandavasi, on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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.

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-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,
VANDAVASI, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KILKODUNGALUR POLICE STATION,
THIRUVANNAMALAI DISTRICT.

+1 CC to M/S.V.R.APPASWAMEE Advocate on payment of necessary charges SR.NO.15663

CRL OP.25951/2021

Date :29/12/2021

TA-04/01/2022