



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD)No.10332 of 2021

WEB COPY

1. Pannerselvam,
2. Selvimary,
3. Raineer,
4. Emileearockkiyamary,

... Petitioners/Accused Nos.1 to 4

Vs

The State rep. by
The Inspector of Police,
Lalgudi Police Station, Trichy District.
Cr.No. 593 of 2021.

... Respondent/Complainant

For Petitioner : Sekar B,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

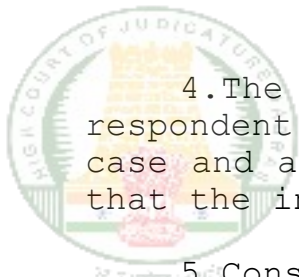
For Anticipatory Bail in Crime No.593 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
294(b), 506(2) IPC and Section 4 of the Tamil Nadu Prohibition of
Harassment of Women Act, 2002 in Crime No.593 of 2021, seek
anticipatory bail.

2.The case of the prosecution is that due to compound wall
dispute, the petitioners abused the defacto complainant in filthy
language and also assaulted her. Hence, the present case came to be
registered.

3.The learned counsel for the petitioners submitted that the
petitioners are innocent persons and they have been falsely
implicated in this case. He further submitted that the third
petitioner preferred a complaint against the defacto complainant and
her family members and a case was also registered against the
defacto complainant in Cr.No.592 of 2021 for the offence under
Sections 294(b), 427 and 506(2) IPC.



4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that due to compound wall dispute, a case and a counter case came to be registered. He further submitted that the injured person has been discharged from the hospital.

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

6.Accordingly, this criminal original petition is allowed and 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, Lalgudi, Trichy District, 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 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 as and when required.

[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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
06/08/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

WEB COPY

- 1.The Judicial Magistrate,
Lalgudi, Trichy District.
- 2.Do-Through The Chief Judicial Magistrate,
Trichy District.
- 3.The Inspector of Police,
Lalgudi Police Station,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP (MD) No.10332 of 2021

Date : 06/08/2021

CN/VR/S2 (23.08.2021) 2P 5C