



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2022

WEB COPY

CORAM:

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

Crl.O.P.No.85 of 2022

1. G.Prema
2. M.Madhavan
3. M.Sundari

... Petitioners

Vs.

The State, rep.by its
Inspector of Police,
J-11 Kannagi Nagar Police Station,
Chennai District.
Crime No.1281 of 2021

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their
arrest in Crime No.1281 of 2021 on the file of the Inspector of
Police, J-11 Kannagi Nagar Police Station, Chennai District.

For Petitioners: Mr.M.Ravi Kumar

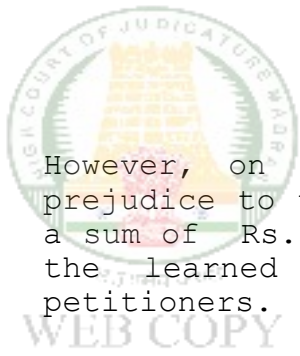
For Respondent : Mr.N.S.Suganthan,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
341, 294(b), 324, and 506(ii) of IPC in Crime No.1281 of 2021, on
the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 viz., Shyam Kumar and
the defacto complainant's brother are friends and on 24.12.2021, the
said A1 was slept in his house and in the next Morning, on seeing
this, the defacto complainant scolded A1,, due to which, A1 along
with the petitioners abused the defacto complainant in filthy
language, assaulted with knife, threatened them with dire consequences
and caused injuries on him. Hence, the complaint.

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



However, on instructions, he submits that the petitioners without prejudice to their rights, on their own volition, are ready to deposit a sum of Rs.10,000/- to the credit of Crime No.1281 of 2021. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that the injured has been discharged and investigation was almost completed. He further submits that A1 was arrested. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by both counsel and also considering that the injured has been discharged and investigation was almost completed and also the fact that the petitioners are ready to deposit a sum of Rs.10,000/- to the credit of Crime No.1281 of 2021, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the *learned learned Judicial Magistrate-II, Alandur* on condition that the petitioners shall execute separate bonds 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 are directed to deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the credit of Crime No.1281 of 2021 before the concerned Magistrate within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and on such deposit, the defacto complainant is permitted to withdraw the said deposit amount of Rs.10,000/- on proper identification and acknowledgment;

[b] the petitioners 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;

[c] the second petitioner shall report before the respondent police on every Wednesday at 10.30a.m for a period of four weeks and thereafter as and when required for an interrogation and the first and third petitioners shall report before the respondent police as and when required for an 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 petitioners in accordance with law as if the conditions has 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]*; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

-sd/-
06/01/2022

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-II,
ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
J-11 KANNAGI NAGAR POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.RAVI KUMAR Advocate on payment of necessary charges

CRL OP.85/2022

Date :06/01/2022

CSK 20/01/2022