



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.167 of 2022

1.Tamizhkudimagan
2.Malar @ Valar
3.Balasubramani @ Balamurugan
4.Nirosha

...Petitioners

Versus

The State Rep by the
The Inspector of Police
Avalurpet Police Station
Villupuram District.
(Crime No.512 of 2021)

...Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to grant an anticipatory bail to the petitioners in the event of their arrest or on their appearance before any court in connection with the case in Crime No.512 of 2021, pending investigation on the file of the respondent police.

For Petitioners : Mr.M.G.Guruprasad

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The petitioners, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.512 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have abused the defacto complainant in a filthy language and assaulted them. Hence the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they are innocent and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor submitted that the petitioners have assaulted the defacto complainant. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

WEB COPY

5. Considering the facts and circumstances of the case and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his 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 Judicial Magistrate Court, Gingee, on condition that the petitioners 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 learned Magistrate concerned and on further condition that:

(a) 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;

[b] the first petitioner and third petitioner are directed to appear before the respondent police on every Tuesday at 10.30 a.m., until further orders and the second petitioner and fourth petitioner are directed to appear before the respondent police as and when required for interrogation.

(c) the petitioners shall not tamper with 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 petitioner 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;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
07/01/2022

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,
GINGEE, VILUPPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILUPPURAM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
AVALURPET POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.GURUPRASAD Advocate on payment of necessary charges SR.NO.415

CRL OP.167/2022

Date :07/01/2022

RW 20/01/2022