



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.123 of 2022

1.N.Prasanth
2.Vasudevan

... Petitioners

Versus

State Rep by
The Inspector of Police
Peralam Police Station,
Thiruvarur District.
(Crime No.1190 of 2021)

... Respondent

Prayer:-Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.1190 of 2021 pending investigation on the file of the respondent police.

For Petitioners : Mr.T.Muthukrishnan

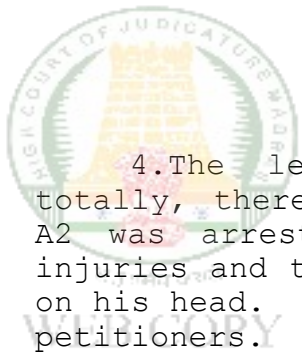
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

Order

The petitioners, who apprehend arrest for the alleged offences under Sections 294(b), 324, & 506(ii) of IPC in Cr.No.1190 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stated that, when the defacto complainant had spoken with first petitioner's child, at that time, the petitioner along with A2 assaulted the defacto complainant and abused him with filthy language, threatened him with dire consequences.

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



4.The learned Government Advocate (Crl. Side) submits that totally, there are three accused involved in this case, among them, A2 was arrested and the defacto complainant had sustained head injuries and taken treatment as outpatient and four stitches were done on his head. However, he opposed for granting anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case that the injured had taken treatment as out patient, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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 District Munsif-cum- Judicial Magistrate, Nannilam on condition that the petitioner 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 petitioner 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 petitioner shall report before the respondent police on Saturday at 10.30p.m for a period of four weeks and thereafter as and when required for an interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 has 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]; and;



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

-sd/-

06/01/2022

WEB COPY

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 DISTRICT MUSIF CUM JUDICIAL MAGISTRATE COURT,
NANNILAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVARUR DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
PERALAM POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.T.MUTHUKRISHNAN Advocate on payment of necessary charges SR.NO.256

CRL OP.123/2022

Date :06/01/2022

INBA-19/01/2022