



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.604 of 2022

WEB COPY

1.Karpagam
2.Stalin @ Kumar
3.Gopi
4.Seetha

... Petitioners

Versus

State represented by
The Sub Inspector of Police,
Thiruvallankadu Police Station,
Thiruvallur District.
(Crime No.522 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in connection with in Crime No.522 of 2021 on the file of the respondent police.

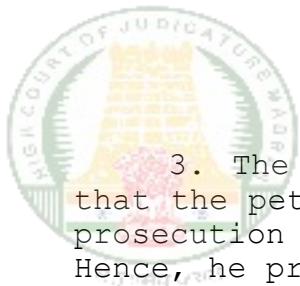
For Petitioners: Mr.R.Sasikumar

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 alleged offences under Sections 294(b), 323 and 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.522 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with some others assaulted the defacto complainant with hands and abused her due to wordy quarrel regarding previous enmity. On the day of occurrence the defacto complainant abused the 1st petitioner, the same was questioned by the petitioners at the time there was a wordy quarrel. The injured person discharge from the hospital. 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 have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

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4. The learned Additional Public Prosecutor appearing for the respondent submitted that the case is in counter. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are directed 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 Judicial Magistrate, Thiruttani, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the 2nd and 3rd petitioners shall report before the respondent police on every Tuesday at 10.30 a.m., until further orders and the 1st and 4th petitioners shall report before the respondent police as and when requires 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 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]; and;



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

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-sd/-

11/01/2022

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,
THIRUTTANI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 SUB INSPECTOR OF POLICE,
TIRUVALANKADU POLICE STATION,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R.SASIKUMAR Advocate on payment of necessary charges
Sr.581

CRL OP.604/2022

Date :11/01/2022

RVR 24/01/2022