



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

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

Crl.O.P.No.671 of 2022

WEB COPY

1.Rajamma @ Rajammal  
2.Sudha @ Alumalamma

... Petitioners

Vs.

The State represented by  
The Inspector of Police,  
Thaalavadi Police Station,  
Erode District.  
(Crime No.2 of 2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to grant Anticipatory Bail to the petitioners in the event of arrest in Crime No.2 of 2022 by the Respondent Police.

For Petitioners : Mr.N.Chinnaraj

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

ORDER

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506 (ii) of I.P.C., in Crime No.2 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel arose between the petitioners and the defacto complainant and the petitioners abused the defacto complainant in filthy language. Hence the complaint.

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



4. The learned Government Advocate (Crl.Side) submits that there is no previous case pending against the petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

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

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 Judicial Magistrate, Sathyamangalam on condition that the petitioners shall execute separate 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 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 petitioners shall report 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 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;



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

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-sd/-

12/01/2022

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,  
SATHYAMANGALAM

2 THE CHIEF JUDICIAL MAGISTRATE  
ERODE (FOR INFORMATION)

3 INSPECTOR OF POLICE,  
THAALAVADI POLICE STATION,  
ERODE DISTRICT

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S N.CHINNARAJ Advocate on payment of necessary charges  
sr.711

CRL OP.671/2022

Date :12/01/2022

RVR 21/01/2022