



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2022

CORAM:

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

Crl.O.P.No.2422 of 2022

1.Anandhan
2.Ajith

...Petitioners

Vs.

State rep. by
Inspector of Police,
Edaiyur Police Station,
Thiruvarur District.
(Crime No.Not known/2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on anticipatory bail in the event of their arrest pending investigation in Cr.No.Not known of 2022, on the file of the respondent police.

For Petitioners : Mr.T.Balaji

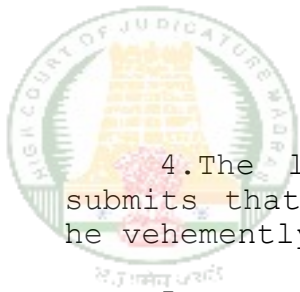
For Respondent : Mr.N.S.Suganthan,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Section 294(b), 354 & 506(ii) of IPC and Section 4 of Women Harassment Act in Cr.No. Not known of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, when the de facto complainant and the petitioners traveled in bus, de facto complainant scolded the petitioners without any reason. After getting down from the bus, the petitioner had gone to the de facto complainant's house and questioned about the same. At that time, both alleged to have attacked, thereby, the defacto complainant had sustained injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that both the parties have given a complainant to the respondent police. He further submits that they are innocent and falsely implicated by the respondent. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl side) on instructions submits that the injured had taken treatment as out-patient. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by both counsel and also considering the fact that the injured had taken treatment as out-patient, this Court is inclined to grant anticipatory bail to the petitioners.

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, Thiruthuraipoondi, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 on every Tuesday at 10.30a.m., for a period of four weeks and thereafter as and when required for an 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.

WEB COPY

-sd/-

03/02/2022

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,
THIRUTHURAIPOONDI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
EDAIYUR POLICE STATION,
TIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. T.MURUGANANTHAM Advocate on payment of necessary charges Sr.1915

CRL OP.2422/2022

Date :03/02/2022

RVR 11/02/2022