



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4642 of 2022

1 MUTHURAJ [PETITIONERS / ACCUSED]
2 SYED ABUTHAKIR

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
PERIYAPALAYAM POLICE STATION,
THIRUVALLUR DISTRICT.
(CR.NO.58 OF 2022)

For Petitioner : M/S.K.PRADEEP RAJ Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.58 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Pursuant to the dispute between the parties in connection with transaction of the land altercation had took place between the accused persons and one Ganapathi who is the husband of the defacto complainant.

3. The learned counsel appearing for the petitioners submitted that the petitioners are an innocent persons and they have been falsely implicated in this case. Hence he prays for anticipatory bail and he is ready to abide any conditions.



4. The learned Government Advocate (Crl.Side) has submitted that the injured person sustained simple injury and discharged from the hospital.

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5. Taking note of the fact that sudden fight had occurred in the course of land dispute, anticipatory bail is granted to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Uthukottai** on condition that the petitioners shall execute separate bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) **the petitioners shall report before the Investigation Officer daily at 10.30 a.m., until completion of the investigation;**

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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;



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

-sd/-

28/02/2022

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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,
UTHUKOTTAI, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PERIYAPALAYAM POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S.K.PRADEEP RAJ Advocate on payment of necessary charges SR.NO.3150

CRL OP.4642/2022

Date :28/02/2022

TA-04/03/2022