



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

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

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The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.4720 of 2022

1 SANKAR
2 RAMASAMY
3 SARASWATHY

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
MANGALAMPETTAI POLICE STATION,
CUDDALORE DISTRICT.
(CRIME NO.213 OF 2022)

[RESPONDENT]

For Petitioner : M/S.G.ANABAYACHOZHEN Advocate

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

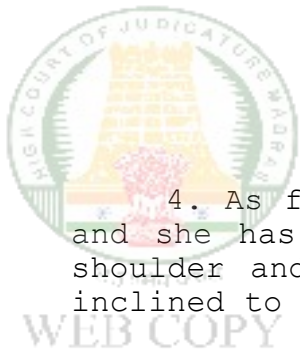
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 294(b), 341, 324 & 506(ii) of IPC in Crime No.213 of 2022, on the file of the respondent police, seek anticipatory bail.

2. As per the First Information Report, it appears that due to the family dispute, the defacto complainant herein on 18.02.2022 was restrained by the petitioners herein and was attacked brutally causing injury on his head, left shoulder, left ear and left thigh and he was also threatened with dire consequences. From the AR report furnished by the learned Government Advocate (Criminal side), this Court finds that the Defacto complainant has sustained lacerated wound on left ear lobe, left shoulder, and also contusion beyond left thigh and lacerated wound on the temporal region.

3. Considering the overtact of the petitioners and the injury sustained by the defacto complainant, this Court is of the view that the petitioners 1 and 2 have caused injuries to the defacto complainant on his head and left ear, this Court is not inclined to grant anticipatory bail to the petitioners 1 and 2.



4. As far as the A3 is concerned, the overtact attributed by her and she has caused injuries to the defacto complainant on his left shoulder and left thigh. By taking note of the fact, this Court is inclined to grant anticipatory bail to the third petitioner alone.

5. Accordingly, the 3rd petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of seven days from the date of receipt of a copy of this order, before the Judicial Magistrate Court-II, Virdhachalam on condition that the 3rd petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the 3rd petitioner 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 3rd 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;

(c) the 3rd petitioner shall report before the respondent police as and when required for interrogation.

(d) the 3rd petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the 3rd petitioner 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 3rd petitioner in accordance with law as if the conditions have been imposed and the 3rd petitioner 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,
NO.II, VIRDHACHALAM

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
MANGALAMPETTAI POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.ANABAYACHOZHEN Advocate on payment of necessary charges Sr.3047

CRL OP.4720/2022

Date :28/02/2022

RVR 07/03/2022