



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5952 of 2022

1.Prabkaran
2.Prakash
3.Panchamirtham

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Thanipadi Police Station,
Thiruvannamalai District.
(Crime No.79 of 2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in Crime No.79 of 2022 on the file of Inspector of Police, Thanipadi Police Station, Thiruvannamalai District.

For Petitioners : Mr.S.Silambu Selvan

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners/A1 to A3, who were arrested for the offences punishable under Sections 294(b), 323, 324 and 307 of IPC in Crime No.79 of 2022, on the file of the respondent police, seek bail.

2. Due to the family dispute regarding property, these petitioners have gone to the house of the defacto complainant and attacked her indiscriminately particularly, the first accused has caused burn injury over the face, arm and forearm causing 5% second degree burn and the Wound Certificate indicates that the burn is healing now and the second accused has attacked the defacto complainant on her leg with wooden log. The defacto complainant was discharged recently.



3. Taking note of the fact that the release of these petitioners except the third petitioner who is lady and mother of the other two petitioners may cause further disturbance to the defacto complainant. Therefore, insofar as the first and second petitioners/A1 and A2, this bail petition is dismissed.

4. Insofar as the third petitioner/A3 is concerned, this Court is of the view that she may be granted bail and accordingly, she is ordered to be released on bail subject to the following conditions;

(a) The 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 Judicial Magistrate, Thandrapet.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the Investigating Officer daily at 10.30 a.m. until further orders.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the 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];

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

-sd/-
16/03/2022

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,
THANDRAMPET

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THANIPADI POLICE STATION,
THIRUVANNAMALAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
VELLORE.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SILAMBU SELVAN Advocate on payment of necessary
charges SR.NO.3980

CRL OP.5952/2022

Date :16/03/2022

JPA 17/03/2022