



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventeenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5959 of 2022

G.MATHUMITHA

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMILNADU REP BY
THE INSPECTOR OF POLICE,
THURAIPAKKAM POLICE STATION,
CHENNAI DISTRICT.
(CRIME NO.36 OF 2022)

[RESPONDENT]

For Petitioner : M/S.ALI HASSAN KHAN 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 petitioner, who apprehends arrest for the alleged offences **under Sections 448, 294(b) and 324 of IPC** in Crime No.36 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner apprehending arrest that, the complaint given by the relatives alleging that, when the *de facto* complainant refused to give the key of the house which belongs to the *de facto* complainant mother in law, and further the petitioner had attacked with hammer and caused severe injuries to the *de facto* complainant.

3. The learned Government Advocate (Crl.Side) would submit that the injured has been discharged from the hospital, if the petitioner is allowed to stay at chennai in her residence opposite to the *de facto* complainant, there is possible for recurrence of violence.

4. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner **with a condition that the petitioner should stay at Thoothukudi until further orders.**



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Alandur**, on condition that 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 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 petitioner and the sureties shall affix his 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) **the petitioner shall report before the Thoothukudi South Police Station daily at 10.30 a.m. until further orders;**

(d) the petitioner 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 petitioner in accordance with law as if the conditions has 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]**; and;

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

-sd/-

17/03/2022

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,
ALANDUR, CHENNAI.



2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THURAIPAKKAM POLICE STATION,
CHENNAI DISTRICT.

5 THE OFFICER INCHARGE
THOOTHUKUDI SOUTH POLICE STATION,
THOOTHUKUDI.

+1 CC to M/S.ALI HASSAN KHAN Advocate on payment of necessary
charges SR.NO.4103

CRL OP.5959/2022

Date :17/03/2022

TA-23/03/2022