



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6349 of 2022

1 N.BHARATHIDASAN
2 P.NAGARAJAN
3 VEMBU

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TALUK POLICE STATION,
THIRUVARUR.
CRIME NO.85/2022.

[RESPONDENT]

For Petitioner : M/S.L.RAMU 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 for the alleged offence punishable under Sections 294(b), 436, 352, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.85 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein, due to quarrel with the defacto complainant who is the neighbouring resident, has set fire to the thatched house of the defacto complainant and also misbehaved with her when she questioned them. Though the petitioner claims innocent about the occurrence, according to the complaint a sum of Rs.17,000/- worth properties got destroyed in the fire along with her certificates,

3. The learned Government Advocate (Crl.Side) submits that investigation reveals that the petitioners herein joined together and had set fire to the defacto complainant's house causing damage to her property.



4. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.85 of 2022, within a period of seven days from the date on which the order copy made ready, and on such deposit 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 Court, Tiruvarur**, on condition that each of the petitioners shall execute a separate bonds for a sum of Rs.50,000/- (Rupees Fifty 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) 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 shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.85 of 2022, within a period of seven days from the date on which the order copy made ready;

(c) 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;

(d) **the petitioners shall stay at Mayiladudurai and report before the Inspector of Police, Mayiladudurai Town Police Station daily at 10.30 a.m., until further orders;**

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

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

(g) 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;



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

WEB COPY

-sd/-
24/03/2022

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,
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
TALUK POLICE STATION,
THIRUVARUR.

5 THE INSPECTOR OF POLICE
MAYILADUDURAI TOWN POLICE STATION,
MAYILADUDURAI.

+1 CC to M/S.L.RAMU Advocate on payment of necessary charges
SR.NO.4452

CRL OP.6349/2022

Date :24/03/2022

TA-28/03/2022