



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6284 of 2022

1 VIJAY @ MARIYAPPAN
2 KAMALA
3 VIJAYA
4 SAROJA

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
VALANGAIMAN POLICE STATION,
THIRUVARUR DISTRICT.
CRIME NO.159 OF 2022.

[RESPONDENT]

For Petitioner : M/S.C.NEETHI MOZHI Advocate

For Respondent : M/S.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 offences punishable under Sections 147, 294(b), 323 & 506 (i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.159 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Due to Civil dispute between the defacto complainant and the petitioner, on 09.03.2022 there was a wordy quarrel, wherein the petitioner has assaulted the defacto complainant and he has sustained lacerated injury. Hence a case has been registered under Section 147, 294(b), 323 & 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act based on the complaint given by one Rajeswari.

3. On perusing the First Information Report and medical report, this Court is of the view that being a civil dispute and the quarrel has not caused any serious injury, is inclined to grant anticipatory bail to the petitioners with certain conditions.



4. 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 District Munsif - cum - Judicial Magistrate Court, Valangaiman on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, 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 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 not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall report before the Investigating Officer daily at 10.30 am, until further orders;

(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 has 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/-

21/03/2022

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.



1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VALANGAIMAN,
THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
VALANGAIMAN POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.VIJAYA RAGAVAN Advocate on payment of necessary
charges SR.NO. 4316

CRL OP.6284/2022

Date :21/03/2022

RW 23/03/2022