



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

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

WEB COPY

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.6416 of 2022

1 KARTHIK @ KARTHIKEYAN
2 SAKTHIVEL

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TIRUPPUR SOUTH POLICE STATION,
TIRUPPUR CITY,
TIRUPPUR DISTRICT.
(CR.NO.38 OF 2022)

For Petitioner : M/S.C.S.SARAVANAN Advocate

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

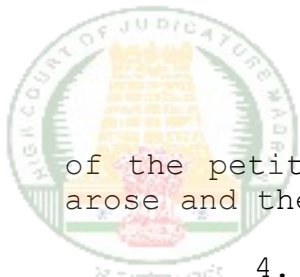
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, & 506(i) of IPC in Crime No.38 of 2022, on the file of the respondent police, seek anticipatory bail.

2. On the complaint given by one Indurani alleging that she went to take back the machineries leased to the petitioners herein, the petitioners and others prevented her from taking the machinery, attacked and molested her modesty. For the alleged incident, which took place on 06.12.2021, a complaint was lodged on 12.01.2022 in Crime No.38 of 2022.

3. The learned Government Advocate (crl.side) states that the defacto complainant has sustained simple injury and she has explained the delay for lodging the complaint in the First Information Report itself and further states that from the investigation, it appears that the defacto complainant leased out the machinery worth Ten Lakhs to the Mother Land Fashion at Dharapuram run by the 1st accused. On 06.12.2021, the defacto complainant decided to sell the machinery to one Logaraj and went to the premises



of the petitioners to take back her machinery, at that time dispute arose and the defacto complainant was assaulted.

4. Considering the averments made in the petition and the submissions made by the counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 Judicial Magistrate - II, Tiruppur on condition that each of the petitioners shall execute a separate bond 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 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 report before the Investigating Officer daily at 10.30 a.m., until further orders;

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

(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 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;



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

-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,
NO.II, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
TIRUPPUR SOUTH POLICE STATION,
TIRUPPUR CITY, TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges SR.4492

CRL OP.6416/2022

Date :24/03/2022

RVR 29/03/2022